

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF DECEMBER 28, 2001

(Published January 5, 2002,
in *Finance and Commerce*)

Room 132 City Hall
250 South 5th Street
Minneapolis, Minnesota
December 28, 2001 - 9:30 a.m.

Council President Cherryhomes in the Chair.

Present - Council Members Campbell, Biernat, Niland, Goodman, Colvin Roy, McDonald, Mead, Lane, Lilligren, Johnson, Schiff, Ostrow, Cherryhomes.

Campbell moved acceptance of the minutes of the adjourned sessions held December 10 and 13 and the regular meeting of December 14, 2001. Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and communications and reports of the City officers to proper Council committees and departments. Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT:

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267536)
Job Linkage/Living Wage/Neighborhood Employment Status Report.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267537)
2001 Metropolitan Council Livable Communities Demonstration Account Grant Awards.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267539)

Near Northside Redevelopment Project: Resolution granting final approval to issue bonds for Phase 1A development.

Single Family Housing Program: Resolutions approving the 2002 Program & continuing the Mortgage Revenue Bond Recycling program.

Senior Rental Housing Policy: Resolution adopting Policy.

COUNCIL MEMBER CHERRYHOMES (267538)

Mpls Public Housing Authority Bd of Commissioners: Reappointment of Steven Chapman.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267540)

Grain Belt Brew House: Resolution adopting Modification No 1 to Tax Increment Finance Plan, w/Attachments.

Stone Arch Apartments Redevelopment Plan: Resolution adopting Redevelopment Plan at 600, 625 Main St SE & 106-6th Ave SE.

Near Northside Development: Resolution adopting Modification No 14 to Grant Urban Renewal Plan & Modification 87 to Common Plans.

Pine Cliff Apartments: Request MCDA appropriation increase to provide funds for apartments phase of Franklin-Portland Gateway project.

Pantages-Stimson Renovation Project, State & Orpheum Theatres: Request MCDA appropriation increase to cover costs associated with renovation & improvements.

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267541)

Franklin Avenue Improvements: Authorize allocation from Commercial Corridors set-aside to support improvement; appropriation increase.

River Terminal: Request MCDA appropriation increase to cover increased costs & reimburse MCDA for administrative costs.

Lot Reduction Program: Authorize acceptance & appropriation of grants from Family Housing Fund & MN Housing Finance Agency.

Mortgage Revenue Programs: Approve transfer of administrator duties for bond programs to Firststar Bank.

Coliseum Building: Approve supplemental financing for redevelopment of building at 2700 E Lake St.

Franklin Avenue Light Rail Transit Station: Administrative correction to budget action of 6/22/01.

COORDINATOR (267542)

Near North Redevelopment Project: Authorize submittal of grant application to Dept of Trade & Economic Development for contamination cleanup.

COMMUNITY DEVELOPMENT and ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT (267543)

Hi-Lake Shopping Center: Development Objectives.

HEALTH AND HUMAN SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (267544)

Laboratory Director and Clinical Consultant Services: Execute contract with State of Minnesota for services required under CLIA certification policies.

Head Start Services: Issue Fund Availability Notice to Parents in Community Action for purchase of services to upgrade data systems and computer network.

Services to Disabled Minneapolis Youth: Execute contract with PACER Center to accept up to \$12,500 to train Minneapolis Employment & Training Youth Vendors.

Dislocated Worker Services: Execute contract with Hennepin County to receive funding to provide services at two Minneapolis Workforce Centers for workers laid off from airline and related jobs following events of September 11, 2001.

HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (267545)

Health Alert Network: Execute Amendment #1 to contract with State of Minnesota to extend termination date and receive additional \$14,200 in funds for third year of state-wide project to promote public health preparedness and response in the event of a bioterrorist or other public health threat; and Approve appropriation.

New Family Center and HLB Asthma Initiative: Execute Amendment #1 to contract with Healthy Learners Board to accept additional revenue of \$37,000 and extend termination date through December 31, 2002; and Approve appropriation.

Work Incentive Grant: Authorize submit grant application, on behalf of Minneapolis Workforce/Private Industry Council, seeking up to \$1 million from United States Department of Labor to provide comprehensive case management and outreach services to people with disabilities residing in Minneapolis Empowerment Zone.

HEALTH AND FAMILY SUPPORT SERVICES (267546)

TANF Home Visiting Project: Authorize hire 1.0 Full-Time Equivalent, grant funded coordinator position.

Population Based Public Health Education Consulting Services: Issue Request for Proposals.

Skyway Senior Center: Authorize collect fees for classes and other direct services provided at Center; and Authorize Finance Department to set up proper accounts to receive fees from residents.

INTERGOVERNMENTAL RELATIONS:

LIAISON/FEDERAL, LOCAL AND STATE (267547)

2002 Legislative Agenda: Receive and File draft.

INTERGOVERNMENTAL RELATIONS (See Rep):

CHARTER COMMISSION (267548)

Charter Amendment: Letter of Transmittal recommending passage of ordn amending Chapter 14 of Charter relating to Board of Health, modernizing language related to delegation of authority and penalties.

COUNCIL MEMBER CHERRYHOMES (267549)

Library Board: Recommend appoint Kathleen Lamb.

INTERGOVERNMENTAL RELATIONS and WAYS & MEANS/BUDGET (See Rep):

COORDINATOR (267550)

2002 Legislative Agenda: Include request for exemption from Minnesota sales & use taxes in 2002 for New Central Library Project.

PUBLIC SAFETY AND REGULATORY SERVICES:

ESTIMATE AND TAXATION (267551)

Internal Audit of Police Department's Property and Evidence Unit: Review of Procedures and Controls.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

INSPECTIONS DEPARTMENT (267552)

Property at 2015 Golden Valley Rd: Authorize owner to rehabilitate property, with Code Compliance to be completed in seven months; with attachments.

LICENSES AND CONSUMER SERVICES (267553)

Dog and Cat License Fees: Ordinance amending Title 4, Chapter 64 of Code to increase license fees by \$5 for spayed or neutered animals and \$10 for unspayed or unneutered animals.

False Alarms: Ordinance amending Title 9, Chapter 176 of Code adding administrative penalties, reducing the number of "free" false alarms to three, and providing for non-response to alarm activation for those alarm users who refuse to properly service their alarm system or refuse to pay administrative penalties.

LICENSES AND CONSUMER SERVICES (267554)

South Beach (325 1st Av N): Grant On-Sale Liquor Class A with Sunday Sales License (regular expansion of premises), subject to conditions.

Waufana's Food Market (2326 Lyndale Av N): Grant Grocery Store, Food Manufacturing and Tobacco Licenses, subject to conditions.

Licenses: Applications.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

LICENSES AND CONSUMER SERVICES (267555)

License Fee Adjustments: Ordinances amending Titles 11, 13 and 14 to adjust the following license fee categories -- Suntanning Facilities; Car Washes; Sidewalk Cafes; Skating Rinks; Pool & Billiard Halls; Asphalt Shingle and Roofing Material Manufacture; Resin Manufacturing; Laundries and Dry Cleaning Establishments; Valet Parking; Transient Merchants; Tree Servicing; Used Motor Vehicle Parts Dealer; All Night Special Food; and All Night Special Bowling, Pool & Billiard.

POLICE DEPARTMENT (267556)

Midwest Automated Fingerprint Information System Network: Execute Joint Powers Agreement with Minnesota Bureau of Criminal Apprehension to continue work of identifying fingerprint evidence from crime scenes.

Operation Nightcap: Accept grant award of \$6,000 from Minnesota Department of Public Safety for Driving While Intoxicated Saturation Program from October 1, 2001 through September 30, 2002; and Approve appropriation.

Crime Prevention Grant: Accept grant award of \$182,185 and execute grant agreement with Minnesota Department of Public Safety for El Proyecto, a partnership between Fifth Precinct and Latino community; and Approve appropriation.

Youth Access to Alcohol Grant: Transfer \$4,680 from Police Department to Health & Family Support to allow Health Department to conduct education portion of grant.

Minnesota Auto Theft Prevention Program: Accept grant award of \$370,736 and execute grant agreement with Minnesota Department of Public Safety to expand existing program to prosecute auto thieves; and Approve appropriation.

PUBLIC SAFETY AND REGULATORY SERVICES and ZONING AND PLANNING (See Rep):

LICENSES AND CONSUMER SERVICES (267557)

Bryn Mawr Tire and Bait Center (328 S Cedar Lake Rd): Revoke Site Plan Permit 260 and Motor Vehicle Repair Garage, Gas Station, Tobacco and Grocery Licenses for failure to complete site plan review process.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (267558)

Construction Equipment Operator Apprenticeship Program: Recognize graduation of City employee Millicent Flowers.

LRT Related Projects: Update on costs and funding.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

DOWNTOWN COUNCIL (267559)

Skyway Advisory Committee: Recommendations for appointment of members.

PUBLIC WORKS AND ENGINEERING (267560)

Council Chamber Renovation Project: Change order increasing audio visual contract with Alpha Video.

Third Precinct Facility Addition: Authorize acquire properties at 3023 & 3033 Snelling Av.

Priority Vehicle Control System: Recommend that the State award the construction contract to Peoples Electric.

Downtown E Light Rail Transit Project (Parking Ramp): Authorize use of MCDA panel contract for architectural services of Hammel, Green & Abrahamson.

Minneapolis Bicycle Master Plan and Reorganization of Minneapolis Bicycle Advisory Committee.

Stone Arch Apartments Development (601 Main St SE): Development agreement.

PUBLIC WORKS AND ENGINEERING (267561)

Sentence to Serve Contracts: Amend 2001 contract with Hennepin County; Execute 2002 contract with Hennepin County.

Lind-Bohanon Neighborhood Gateway Project: Funding application to MnDOT for Community Roadside Landscaping Partnership Program.

Bank St Area Residential Lighting Project (area bounded by Hennepin Av E, University Av SE, Central Av SE & Main St SE): Designate project location and improvements, receive cost estimate and designate street lighting project.

W 43rd & Upton Av S Roadway & Streetscape Revitalization Project: Amend hold harmless resolution to reflect correct side of Sheridan Av S road size variance.

Flood Mitigation Project Area 19 (W 44th St and Aldrich Av S): Increase contract with Polaris Group for construction design plans.

Fire Station No. 6 Facility and Improvement Project (121 E 15th St): Architectural and engineering design services agreement with Hagen, Christenson & McIlwain Architects.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267562)

Near Northside Redevelopment Project: Infrastructure and site preparation appropriations.

PUBLIC WORKS AND ENGINEERING (267563)

Sale of City-Owned Property: 2400 W Broadway.

2002 Parking Rates: Recommendation to maintain 2001 rates.

3rd Av N TAD Garage Maintenance Project: Payment of garage revenues to fund anti-icing project.

TAD 5 Exit/LRT Conflict Project: Rescind previous action authorizing acquisition of property and appropriation of funds.

Midtown Greenway Project: Negotiate purchase of properties to allow access ramp at Bloomington Av.

University of Minnesota Transitway Trail: Negotiate purchase of property from Burlington Northern Santa Fe Railroad to continue trail construction.

PUBLIC WORKS AND ENGINEERING (267564)

Windom Park Neighborhood Bikeways: Approve implementation of on-street signed bikeway.

54th St & Minnehaha Av Reconstruction Project: Authorize execution of project funding agreement with the Metropolitan Council for payment of City's share of project.

Additional Sidewalk Work: Increase contract and funding with Standard Sidewalk and Gunderson Brothers Cement.

PURCHASING (267565)

Bids: Accept: a) OP #5738, only bid of Duncan Industries Parking Control Systems Corporation for parking meters; b) OP #5570, low bid of Hawkins Chemical, Inc. for ammonia for the Water Works; c) OP #5611, increase previous bid approved of Midwest Diesel Service, Inc. for OEM Parts and Service for Crane Carrier Model Refuse Vehicles through February 28, 2002;

d) OP #5740, only bid of Hobas Pipe USA, Inc. for fiberglass slip line pipe; e) OP #5741, low bid of Total Construction and Equipment, Inc. for electrical system upgrade at Pump Station No. 7;

f) OP #5713, low bid meeting specifications of Boiler Services, Inc. to install a gas/oil power burner; g) OP #5515, increase previous bid of Electronic Design Company.

WAYS AND MEANS BUDGET:

CONVENTION CENTER (267566)

Convention Center Expansion Project: Receive & File change management actions.

Convention Center Expansion Project: Receive & File construction budget status report.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (267567)

Lease Termination: Execute release to terminate leasehold interests of the City at 2700 East Lake St, the Coliseum Building.

Great Lakes Center Project: Settlement agreement with STA Associates, Inc, SDA Development Corporation and the MCDA.

Settlements: Settle claims of Eva McMorris; Daryl Turnipseed; Ronald Stover.

Prosecution Services: Agreement with Hennepin County Attorney's Office.

Community Prosecution: Grant from U. S. Department of Justice, Bureau of Justice Assistance.

ATTORNEY (267568)

Salary Adjustments: Information relating to increases for Council Members and Mayor.

CONVENTION CENTER (267569)

Convention Center Expansion Project: Contract with Marsh, Inc.

Convention Center Expansion Project: Waive Building Permit and Building Permit Plan Review fees.

Convention Center Expansion Project: Change orders to contracts with Impulse Group, Inc; Gage Brothers Concrete Products, Inc; M. G. McGrath, Inc; Swanson & Youngdale, Inc; Minuti-Ogle Company, Inc; Havens Steel Company; Harris Mechanical.

COORDINATOR (267570)

Federal Empowerment Zone Funding: Approve for The Jeremiah Program capital campaign, and contract with The Jeremiah Program.

Federal Empowerment Zone Funding: Approve for the YWCA's Phillips Children's Center, and contract with the YWCA.

Federal Empowerment Zone Funding: Approve for West Side Community Health Services' La Clinica en Lake, and contract with West Side Community Health Services.

COORDINATOR (267571)

Minneapolis Empowerment Zone 2002-2005 Strategic Plan: Approve.

Federal Empowerment Zone Funding: Approve for Phase 1 of Urban Village, and Memorandum of Understanding with MCDA.

Federal Empowerment Zone Funding: Approve for Powderhorn Resident Group, Inc to implement Phase 1 of Village in Phillips Development Project, and contract with Powderhorn Resident Group, Inc.

Federal Empowerment Zone Funding: Approve for Employment Action Center's Harrison Neighborhood Youth Employment and Training Program, and contract with Employment Action Center.

COORDINATOR (267572)

New Central Library Project Lease Agreements: Approve with FRM Associates, LLC, and with Winnetka Properties.

Procedures Manual: Approve updated manual for Professional Services Procurement, Contract Monitoring and Real Estate Transactions.

CULTURAL AFFAIRS (267573)

City Arts Grants Program: Fund arts projects by artists, neighborhood/community organizations, and arts organizations recommended by the City Arts Grants Program Advisory Panel.

FINANCE DEPARTMENT (267574)

Convention Center Annual Property Insurance: Review options for insurance, negotiate and execute contract for coverage.

Certified Managed Care and Employment Services: Addendum to Master Contract with CorVel Corporation.

Lodging Tax Increase: Approve.

Community Development Block Grant Eligibility: Approve exchanging funds to meet CDBG eligibility requirements.

GRANTS AND SPECIAL PROJECTS (267575)

Community Development Block Grant Funded Activities: Contract with Minneapolis Public Library Board.

HUMAN RESOURCES (267576)

District Supervisor, Code Compliance Position: Salary Ordinance.

Labor Agreement: Salary Ordinance for Minneapolis Building and Construction Trades Council.

Labor Agreement: Salary Ordinance for Teamsters, Local #320, 9-1-1 Supervisors' Unit.

Labor Agreement: Salary Ordinance for International Brotherhood of Electrical Workers, Local #292, Technicians' Unit.

HUMAN RESOURCES (267577)

Supplemental Pension Plan: Participation Agreement and Declaration of Trust with Laborers International Union of North America - National (Industrial) Pension Fund.

REGULATORY SERVICES (267578)

Convention Events: Accept funds for payment to Greater Minneapolis Convention & Visitors Association for expenses.

ZONING AND PLANNING:

CITY CLERK/SPECIAL PERMITS (267579)

1st Av N, 706 (Central Community Housing Trust) replace billboard with wall mounted sign.

COMMITTEE ON URBAN ENVIRONMENT (CUE) (267580)

Committee on Urban Environment: Recommendations for revisions to structure; Attendance record of CUE members.

INSPECTIONS/ZONING ADMINISTRATOR (267581)

Auto Max (Gregory Alford), 520 E Lake St: Recommend revoke site plan & forward to PS&RS to consider business license.

Intermaco, Inc (Raul Sacta), 2400 Bloomington Av S: Recommend revoke site plan & forward to PS&RS to consider business license.

PLANNING COMMISSION/DEPARTMENT (267582)

Jamaica Jamaica Restaurant (Victoria Stovall), 2715 W Broadway Av:

Deny application of waiver from moratorium on commercial use along W Broadway Av (Ordinance 2001-Or-027, Mpls Code of Ordinances); Staff report; Comments of Big "O" Investment.

University of St Thomas, 1125 Harmon Place: Grant appeal for variance of parking stalls in surface parking lot & amend conditional use permit; Notice of appeal & reason therefore; Minutes; Application for variance and related applications, w/drawings, photos.

Lappin, Terrance & George Heinrich, 1518 S 7th St: Approve application for street vacation; Staff report w/recommendations, findings, drawings.

Zoning Board of Adjustment: Recommend appoint David Fields, John Finlayson & Peter Rand; Actions of Planning Commission.

ZONING AND PLANNING (See Rep):

ATTORNEY (267583)

VoiceStream Minneapolis, Inc. f/k/a APT Minneapolis, Inc. vs. City of Minneapolis: Settle lawsuit.

CITY CLERK/SPECIAL PERMITS (267584)

15th Av SE, 407 (David Choate) construct a replacement restaurant with drive through.

CITY CLERK/SPECIAL PERMITS (267585)

Lyndale Av S, 3405 (Ron Siron) locate walk-up service window for café (see report of 11-21-01)

HERITAGE PRESERVATION COMMISSION (267586)

Heritage Preservation Commission: Appoint Todd Grover & Michele Dunn.

Grain Belt Brewery, 1220 Marshall St NE: Application of RSP Architects, Ltd for historic variance to allow reception/meeting hall use and parking variance; Staff report with findings, comments of Leonard Street & Deinard,

PLANNING COMMISSION/DEPARTMENT (267587)

46th & Hiawatha Station Area Master Plan: Adopt plan; Staff reports & recommendation, comments of William Jacobson, Architects, Beverly Conerton, maps; Planning Commission action.

PLANNING COMMISSION/DEPARTMENT (267588)

Franklin-Cedar/Riverside Transit Oriented Development Master Plan: Adopt plan.

Planning Commission/Department: Staff reports & recommendation, comments of James Bartlett; Action of Planning Commission.

SRF Consulting Group: Street Network & Transit Connections; Graphics.

PLANNING COMMISSION/DEPARTMENT (267589)

Zoning Code Text Amendment: Amending Title 20, Chapter 525, Sections 525.500, 525.520(22) relating to Zoning Code: Administration and Enforcement, concerning required findings for variance and variance of development standards; Staff report with findings, comments of Stevens Square Community Organization, Whittier Alliance.

Zoning Code Text Amendment: Amending Title 20, Chapter 549, Section 549.220, Table 549-4 and Section 549.230 relating to Zoning Code: Downtown Districts, creating new floor area ratio bonus for high efficiency buildings downtown; Staff report with findings, attachments, drawings; Actions of Planning Commission.

PLANNING COMMISSION:

BETHLEHEM BAPTIST CHURCH (267590)

Permission to vacate seven feet at the northwest side of 13th Ave S between 7th & 8th Sts.

MOTIONS (See Rep):

COUNCIL MEMBER CHERRYHOMES (267591)

Near Northside Community Oversight Committee: Rescinding resolution adopted 7/14/2000 creating committee.

Near Northside Implementation Committee: Rescinding Council action of 5/24/1998 creating committee structure.

FILED:

CITY CLERK/SPECIAL PERMITS (267592)

2nd St S, 918-1000-1010 (MCDA) enter into a lease agreement with Cirque Du Soleil; Humboldt Av N, 4600 (DeMars Signs) sign; Minnehaha Pkwy E, 2401 (John Bell) horses.

MAYOR (267593)

Operating Budget: Ltr stating reasons for not signing the resolution fixing the maximum amounts to be expended by the various departments in 2002 passed by the Council 12/13/2001 (W&M #2).

POLICE DEPARTMENT (267594)

2000 Annual Report.

**REPORTS OF
STANDING COMMITTEES**

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

Comm Dev - Your Committee, having under consideration the matter of issuing bonds to finance the new construction of 120 units of mixed-income rental housing located at Olson and Lyndale Aves N in the Near Northside redevelopment area (Phase 1A), to be developed, owned and operated by Sumner Field Partners, L.P., of which MBA Development Corporation is the managing general partner, and the Council having granted preliminary approval to issue such bonds on April 6, 2001, and having held a public hearing thereon, now recommends passage and summary publication of the accompanying resolution granting final approval to the issuance of up to \$11,500,000 in Tax-exempt Multifamily Rental Housing Development Revenue Bonds for the Near Northside Phase 1A project, as set forth in Petn No 267539.

Adopted. Yeas, 12; Nays none.

Declining to vote - Cherryhomes.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-536, authorizing the financing of a housing program under Minnesota Statutes, Chapter 462C, authorizing the issuance of Multifamily Housing Revenue Bonds for the Near Northside redevelopment area, in an aggregate principal amount not to exceed \$11,500,000 to finance the program, and approving and authorizing the execution of various documents in connection therewith was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2001R-536

By Niland

Authorizing the financing of a housing program under Minnesota Statutes, Chapter 462C, authorizing the issuance of Multifamily Housing Revenue Bonds in an aggregate principal amount not to exceed \$11,500,000 to finance the program, and approving and authorizing the execution of various documents in connection therewith.

Whereas, pursuant to the Minnesota Municipal Housing Act, Minnesota Statutes Chapter 462C (the "Act"), a city is authorized to carry out programs for the financing of multifamily housing for persons of low and moderate income, and to authorize its housing and redevelopment authority to act on its behalf; and

Whereas, on December 17, 2001, the Community Development Committee of this City Council held a public hearing with respect to a program (the "Program") for the issuance of bonds to make a loan to finance the acquisition and construction of 120 units of multifamily rental housing (the "Project") to be located at the northwest quadrant of the intersection of Olson Memorial Highway and Interstate 94 in the City, by Sumner Field Partners, L.P., a Missouri limited partnership (the "Company"); and

Whereas, the Program is to be financed from the proceeds of two series of Multifamily Housing Revenue Bonds, Series 2001 (collectively, the "Bonds"), in an aggregate principal amount not to exceed \$11,500,000, to be issued by the City, and the revenues from the Project shall be pledged for the security of and payment for the Bonds (except as may be otherwise set forth in the Indentures hereinafter referred to); and

Whereas, each series of Bond proceeds will be used by the City to provide for funding of a loan (collectively, the "Loans") to the Company to finance the acquisition and construction of the Project; and

Whereas, each series of Bonds will be issued under a separate Indenture of Trust (collectively, the "Indentures"), and said Bonds and the interest on said Bonds shall be payable solely from the revenues pledged therefor and the Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation nor give rise to a pecuniary liability of the City or a charge against its general credit or assets and shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the City other than the City's interest in said Project; and

Whereas, forms of the following documents (including the exhibits referred to therein) have been submitted to the City:

a. The Indentures to be made and entered into among the City and the trustee named therein (the "Trustee"), providing for the issuance of the respective series of Bonds, prescribing the forms thereof, pledging the trust estate described therein for the security of the respective series of Bonds, and setting forth proposed recitals, covenants and agreements by the parties with respect thereto.

b. The Financing Agreement and Loan Agreement to be executed by the City and the Company (collectively, the "Financing Agreements"), pursuant to which the proceeds of the respective series of Bonds are applied to make a loan to the Company.

c. One or more Bond Purchase Agreements, to be dated as of the date of execution thereof (the "Bond Purchase Agreements"), by and among the City, the Company and U.S. Bancorp Piper Jaffray Inc. (the "Underwriter"), providing for the purchase of the Bonds by the Underwriter.

d. The Regulatory Agreement to be executed by the City, the Company and the Trustee, as required to maintain the tax-exempt status of the Bonds.

e. One or more preliminary disclosure documents relating to the offer of the respective series of Bonds (the "Preliminary Official Statements").

The agreements described and referred to in paragraphs a through d above shall hereinafter sometimes be referred to collectively as the "Agreements."

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That it is hereby found, determined and declared that:

a. The preservation of the quality of life in the City is dependent upon the construction, maintenance, provision, and preservation of an adequate housing stock which is affordable to persons and families of low or moderate income, that accomplishing this is a public purpose, and that many would-be providers of housing units in the City are either unable to afford mortgage credit at present market rates of interest or are unable to obtain mortgage credit because the mortgage credit market is severely restricted.

b. The development and implementation of the Program, and the issuance and sale of the Bonds by the City, and the execution and delivery of the Agreements and the performance of all covenants and agreements of the City contained therein and of all other acts and things required under the Constitution and Laws of the State of Minnesota to make the Agreements and the Bonds valid and binding obligations of the City in accordance with their terms, are authorized by the Act.

c. The implementation of the Program for the purposes and in the manner contemplated by the Agreements conforms or will conform to all pertinent statutes, regulations and ordinances of the State of Minnesota and the City.

d. It is desirable that the Bonds in the aggregate principal amount not to exceed \$11,500,000 be issued by the City, on the terms set forth in the Indentures, the Financing Agreements and the Bond Purchase Agreements.

e. The payments required or provided for by the Financing Agreements are intended to produce income and revenues sufficient to provide for the payment when due of principal of and interest on all Bonds issued under the Indentures, and payments are required to be made for such expenses of, among other things, administration of the Program, as will be necessary to protect the interests of the City and the Trustee.

f. Pursuant to the provisions of the Act, and as provided in the Agreements, the Bonds shall be retired solely from the revenues of the Project and other revenues specifically pledged therefor.

Be It Further Resolved that the Program and the Agreements in substantially the forms submitted to the City at this meeting are hereby approved. Such of the documents as require the execution of the City are hereby authorized and directed to be executed or accepted, as the case may be, and delivered in the name and on behalf of the City by its Mayor, City Clerk (or Assistant City Clerk) and Finance Officer (or Assistant Finance Officer) upon execution thereof by the parties thereto as appropriate. The Bonds and the Agreements shall be executed and delivered as provided therein. Copies of all the documents necessary for the consummation of the transactions described herein and in the Agreements shall be delivered, filed and recorded as provided herein and in the Agreements.

Be It Further Resolved that the form and terms of the Agreements may be varied prior to execution and delivery by the parties thereto, provided that any such variance shall not be, in the opinion of the City's legal counsel, materially adverse to the interests of the City. The execution and delivery of the Agreements as provided above shall be conclusive evidence of the determination that any such variance was not materially adverse to the interests of the City.

Be It Further Resolved that in anticipation of the collection of revenues of the Project, there shall be issued forthwith the Bonds, in an aggregate principal amount not to exceed \$11,500,000, which issuance is approved, substantially in the form and upon the terms set forth in the Indentures, the terms of which are for this purpose incorporated in this resolution and made a part hereof as if fully set forth herein. The Bonds shall be dated as of the date and shall mature on the dates (subject to redemption on such earlier dates as provided in the Indentures), bear interest and be payable at the rates, all determined as set forth in the Indentures, provided that such rates shall result in an average coupon rate on an aggregate basis not greater than 7.0%, and provided further that the Bonds shall mature within 43 years of the date of issuance thereof. The City may at its option issue additional bonds at a later date to be used to pay or reimburse costs of the Project not paid from the proceeds of the Bonds, in a principal amount not to exceed the amount set forth in the Program.

Be It Further Resolved that all actions of the employees and staff of the City heretofore taken in furtherance of the Program are hereby approved, ratified and confirmed.

Be It Further Resolved that the sale of said Bonds to the Underwriter is hereby approved, and the Bonds are hereby directed to be sold to the Underwriter, upon the terms and conditions set forth in the Bond Purchase Agreements. The Mayor, City Clerk (or Assistant City Clerk) and Finance Officer (or Assistant Finance Officer) of the City are hereby authorized and directed to prepare and execute by manual or facsimile signature the Bonds as described in the Indentures and to deliver them to the Trustee

(which is herein designated as the authenticating agent under Minnesota Statutes, Section 475.55) for authentication and delivery to or as instructed by the Underwriter, together with a certified copy of this resolution, and the other documents required by the Indentures.

Be It Further Resolved that the Mayor, City Clerk (or Assistant City Clerk), Finance Officer (or Assistant Finance Officer) and other officers of the City are authorized and directed to prepare and furnish when the Bonds are issued, certified copies of all proceedings and records of the City relating to the Bonds and such other affidavits and certificates (including but not limited to those required by bond counsel) as may be required to show the facts relating to the legality, tax exemption and marketability of the Bonds as such facts appear from the books and records in said officers' custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements made by the City and contained therein. Said officers are further authorized to execute such additional documents as shall be determined by the Mayor to be necessary and desirable to provide for the issuance of the Bonds.

Be It Further Resolved that the Mayor, City Clerk (or Assistant City Clerk), Finance Officer (or Assistant Finance Officer) and other officers of the City consent to the distribution of the Preliminary Official Statements relating to the respective series of Bonds, substantially in the forms on file with the City. Said officers further consent to the use by the Underwriter in connection with the sale of the Bonds of final Official Statements, substantially in the forms of the Preliminary Official Statements described above. The Preliminary Official Statements and the final Official Statements are the sole materials consented to by said officers for use in connection with the offer and sale of the Bonds. Said officers have not participated in the preparation thereof, have not made any independent investigation of the information contained therein and shall have no liability in connection with the contents of or use of such offering materials.

Be It Further Resolved that all covenants, stipulations, obligations and agreements of the City contained in this resolution and the aforementioned documents shall be deemed to be the covenants, stipulations, obligations and agreements of the City to the full extent authorized or permitted by law, and all such covenants, stipulations, obligations and agreements shall be binding upon the City. Except as otherwise provided in this resolution, all rights, powers and privileges conferred and duties and liabilities imposed upon the City by the provisions of this resolution or of the aforementioned documents shall be exercised or performed by the City or by such members of the City, or such officers, board, body or agency thereof as may be required or authorized by law to exercise such powers and to perform such duties.

Be It Further Resolved that no covenant, stipulation, obligation or agreement herein contained or contained in the aforementioned documents shall be deemed to be a covenant, stipulation, obligation or agreement of any member of the City, or any officer, agent or employee of the City in that person's individual capacity, and neither the City Council nor any officer or employee executing the Bonds shall be liable personally on the Bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

Be It Further Resolved that no provision, covenant or agreement contained in the aforementioned documents, the Bonds or in any other document related to the Bonds, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to any pecuniary liability of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the Project or the proceeds of the Bonds which are to be applied to the payment of the Bonds, as provided therein and in the Indenture. The Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property or funds of the City except the revenue and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holders of the Bonds shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal of the Bonds or the interest thereon, or to enforce payment thereof against any property of the City. The Bonds shall recite in substance that the Bonds, including the interest thereon, are payable solely from the revenues and proceeds pledged to the payment thereof. The Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation.

Be It Further Resolved that except as herein otherwise expressly provided, nothing in this resolution or in the aforementioned documents expressed or implied is intended or shall be construed to confer upon any person or firm or corporation, other than the City or any holder of the Bonds issued under the provisions of this resolution, any right, remedy or claim, legal or equitable, under and by reason of this resolution or any provision hereof, this resolution, the aforementioned documents and all of their provisions being intended to be and being for the sole and exclusive benefit of the City and any holder from time to time of the Bonds issued under the provisions of this resolution.

Be It Further Resolved that in case any one or more of the provisions of this resolution, or of the aforementioned documents, or of the Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, or of the aforementioned documents, or of the Bonds, but this resolution, the aforementioned documents, and the Bonds shall be construed and enforced as if such illegal or invalid provision had not been contained therein.

Be It Further Resolved that the Bonds, when executed and delivered, shall contain a recital that they are issued pursuant to the Act, and such recital shall be conclusive evidence of the validity of the Bonds and the regularity of the issuance thereof, and that all acts, conditions and things required by the laws of the State of Minnesota relating to the adoption of this resolution, to the issuance of the Bonds and to the execution of the aforementioned documents to happen, exist and be performed precedent to and in the enactment of this resolution, and precedent to issuance of the Bonds and precedent to the execution of the aforementioned documents have happened, exist and have been performed as so required by law.

Be It Further Resolved that in the event any of the officers of the City authorized to execute documents on behalf of the City under this resolution shall have resigned or shall for any reason be unable to do so, any member of the City, or officer of the City, is hereby directed and authorized to do so on behalf of the City, with the same effect as if executed by the officer authorized to do so in this resolution.

Be It Further Resolved that each Bond is hereby designated as a "Program Bond" and is determined to be within the "Housing Program" and the "Program" all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Be It Further Resolved that this resolution shall take effect upon publication.

Adopted. Yeas, 12; Nays none.

Declining to vote - Cherryhomes.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration the Single Family Housing Program, which allows the Minneapolis Community Development Agency (MCDA) or the Minneapolis/St. Paul Housing Finance Board to issue bonds or mortgage credit certificates in support of the MCDA's various single family mortgage or housing programs, and having held a public hearing thereon, now recommends passage and summary publication of the accompanying resolutions:

a) Approving a Single Family Housing Program to be financed by the issuance of Single Family Mortgage Revenue Bonds and/or Mortgage Credit Certificates;

b) Approving a program of refunding Single Family Mortgage Revenue Bonds to provide for the recycling of program monies to make additional loans for low or moderate income persons and families and approving and authorizing the execution of various documents in connection therewith.

Your Committee further recommends that this action be transmitted to the Board of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-537, approving a Single Family Housing Program to be financed by the issuance of Single Family Mortgage Revenue bonds and/or Mortgage Credit Certificates was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2001R-537
By Niland

Approving a Single Family Housing Program to be financed by the issuance of Single Family Mortgage Revenue bonds and/or Mortgage Credit Certificates.

Whereas, pursuant to the Minnesota Municipal Housing Act, Minnesota Statutes, Chapter 462C (the "Housing Act"), the City of Minneapolis, Minnesota (the "City") is authorized to adopt a housing plan and carry out programs for the financing of single family housing for persons of low and moderate income; and

Whereas, the Minneapolis/Saint Paul Housing Finance Board (the "Board"), a joint powers board organized under a Joint Powers Agreement (the "Joint Powers Agreement") by and between the Minneapolis Community Development Agency (the "Agency"), the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota (the "Authority") and the City and accepted by the City of Saint Paul, Minnesota ("Saint Paul"), and under the laws of the State of Minnesota, proposes to undertake a single family housing program relating to the Minneapolis and the Saint Paul entitlement allocations available in 2002 and certain recycling refunding bonds (the "Program"), to be financed by the issuance of one or more series of mortgage revenue obligations, mortgage revenue refunding obligations and/or mortgage credit certificates ("MCCs") pursuant to Minnesota Statutes, Sections 469.001 to 469.047, Chapters 462A, 462C and 474A and Section 471.59 (collectively, the "Act"); and

Whereas, pursuant to the Act, the Board is authorized to issue bonds from time to time and to use the proceeds of its bonds to make or purchase mortgage loans or to purchase participations in mortgage loans from lending institutions and to issue MCCs in order to finance the construction and rehabilitation, and to facilitate the purchase and sale, of single family housing for eligible persons or families under the Act and to issue bonds to refund previously issued bonds; and

Whereas, the Program will provide below market interest rate mortgage loan financing or income tax credits primarily to persons of low or moderate income purchasing single family homes to be used as their principal places of residence and located within the geographic limits of the City or Saint Paul; and

Whereas, the Act requires adoption of the Program after a public hearing held thereon following publication of notice in a newspaper of general circulation in the City and Saint Paul at least fifteen days in advance of the hearing; and

Whereas, the Community Development Committee of the City Council on December 17, 2001, conducted a public hearing on the Program after publication of notice as required by the Act; and

Whereas, the Program was submitted to the Metropolitan Council at or before the time of publication of notice of the public hearing on such Program, and the Metropolitan Council was afforded an opportunity to present comments at the public hearing, all as required by the Act; and

Whereas, the Program provides for the issuance of single family mortgage revenue bonds or revenue refunding bonds in one or more series pursuant to the Act (the "Bonds") to make or purchase or cause to be made or purchased mortgage loans, or to purchase securities the proceeds of which would be used to purchase mortgage loans, and the issuance of MCCs to finance the acquisition, primarily by low and moderate income persons and families, of single family housing located within the geographic boundaries of the City or Saint Paul; and

Whereas, it is proposed that the Program be approved and the Board or the Agency be authorized to issue Bonds and MCCs pursuant to the Program and the Joint Powers Agreement; and

Whereas, it appears that the Program and the issuance of Bonds and/or MCCs by the Board or the Agency are in the best interests of the City;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Program is hereby approved in its entirety in substantially the form on file with the City. The officers of the City are authorized to take all actions as may be necessary or appropriate to carry out the Program in accordance with the Act and any other applicable laws and regulations.

Be It Further Resolved that the issuance of the Bonds or of MCCs to finance the Program is hereby finally approved subject to agreement by the Board and the purchasers of the Bonds, if any, and by the Board or the Agency as issuer of the MCCs, as to the exact terms of the Bonds and the MCCs.

Be It Further Resolved that the Bonds may be issued in one or more series at the time or times and pursuant to terms determined by the Board, and be structured so as to take advantage of whatever means are available and are permitted by law to enhance the security for, or marketability of, the Bonds, provided that any such financing structure must be approved by the Board. The MCCs may be issued at the time or times and pursuant to terms determined by the Board. All such determinations by the Board must comply with the applicable provisions of the Act and the Internal Revenue Code, of 1986, as amended, and regulations promulgated thereunder.

Be It Further Resolved that the Board is authorized to take all actions which may be necessary or desirable in connection with the issuance of the Bonds and the MCCs, and no further approval or consent of the City shall be required prior to the issuance of the Bonds or the MCCs by the Board, or prior to the taking of any action by the Board to undertake and implement the Program.

Be It Further Resolved that nothing in this Resolution or the documents prepared pursuant hereto shall authorize the expenditure of any municipal funds on the Program other than as specified and authorized by separate actions of the City and other than the revenues derived from the Program or otherwise granted to the City for such purpose. The Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property or funds of the City except the revenues and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holders of the Bonds shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal on the Bonds or the interest thereon, or to enforce payment against any property of the City. The Bonds shall recite in substance that the principal and interest thereon are payable solely from the revenues and proceeds pledged to the payment thereof. The Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation of indebtedness.

Be It Further Resolved that any one or more series of Bonds (to the extent authorized by law) or the MCCs may be issued by the Agency in lieu of issuance by the Board, at the discretion of the Agency.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-538, approving a program of refunding Single Family Mortgage Revenue Bonds to provide for the recycling of program monies to make additional loans for low or moderate income persons and families and approving and authorizing the execution of various documents in connection therewith was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2001R-538
By Niland

Approving a program of refunding Single Family Mortgage Revenue Bonds to provide for the recycling of program monies to make additional loans for low or moderate income persons and families and approving and authorizing the execution of various documents in connection therewith.

Whereas, the City of Minneapolis (*the City*), either (a) on its own behalf, (b) acting through the Minneapolis Community Development Agency (*the MCDA*), or (c) acting through the Minneapolis/Saint Paul Housing Finance Board (*the MHFB*), pursuant to that certain Joint Powers Agreement, as amended, by and between the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota (*the HRA*), the MCDA and the City of Minneapolis (*Minneapolis*) and accepted by the City of Saint Paul (*Saint Paul*), from time to time has issued individually or jointly with other issuers various series of single family mortgage revenue bonds, as listed below, (*the Prior Bonds*), for the purpose of providing below-market interest rate financing to low and moderate income persons and families (*Qualified Buyers*); and

Prior Bonds

<i>Single Family Mortgage Revenue Bonds or Refunding Bonds:</i>	<i>Issue Date</i>
Phase IV, Series A, B & C	5/1/1987
Phase V, Series A, B & C	11/1/1987
Phase VI, Series A	8/1/1988
Phase IX, Series A	8/29/1991
Phase X, Series A	11/30/1994; 9/1/1996
Phase XI, Series A & B	7/23/1997
Phase XII, Series A & B	12/29/1998
Home Ownership and Renovation, Phase III	12/1/1993
Home Ownership Program, Phase V	10/5/1995
Home Ownership Program	8/11/1998
CityLiving Home Programs Convertible Option Bonds, Series A & B	12/29/1998 (remarketed 6/22/1999)
CityLiving Home Programs, Series A-1, A-2 & A-3	8/19/1999
CityLiving Home Programs, Series B-1 & B-2	8/31/1999
CityLiving Home Programs, Series A-1 & A-2	4/18/2000
CityLiving Home Programs Convertible Option Bonds Series A-3	10/4/2000
CityLiving Home Programs Series B	10/4/2000; 9/7/2001
CityLiving Home Programs, Series A-1, A-2, A-3 & A-4	5/3/2001

Whereas, the federal tax law permits the issuance of tax-exempt refunding bonds to refund certain principal amounts of the Prior Bonds as they mature or become subject to redemption prior to maturity; and

Whereas, it is the policy of the City to "recycle" the resource represented by the Prior Bonds by issuing refunding bonds (*the Refunding Bonds*) to the greatest extent possible to provide for the origination of additional single family loans to Qualified Buyers; and

Whereas, because the various series of Refunding Bonds are due and become subject to redemption at various times during the calendar year in relatively small principal amounts which can not efficiently and economically be refunded by the issuance of separate series of refunding bonds, the City, in cooperation with the MCDA, Saint Paul and the MHFB, proposes that there be deposited in certain escrow accounts moneys sufficient, from time to time, to provide for the refunding of the Prior Bonds, and to periodically issue Refunding Bonds in principal amounts sufficient to reimburse such escrow deposits;

Now, Therefore, Be It Resolved by The City Council of the City of Minneapolis:

1. That the Executive Director of the MCDA or his designee, is hereby authorized and directed to take such actions as are necessary or convenient to implement the City's policy of maximizing the resource represented by the Prior Bonds. Without limiting the generality of the foregoing, the Executive

Director is specifically authorized to execute and deliver, from time to time, escrow agreements, including any amendments thereto, and to do all other things necessary or convenient to provide for the deposit of funds made available by the City, the MCDA or the MHFB (*Escrow Deposits*) to refund Prior Bonds becoming due or subject to prepayment from time to time.

2. The City intends to issue, or to cooperate with the MCDA, the MHFB and Saint Paul in the issuance of, the Refunding Bonds at such times and in such amounts as are effective and economical, in an aggregate principal amount from time to time identified by the Executive Director of the MCDA, or his designee in writing and filed in the official records of the MCDA, and estimated to be between \$30,000,000 and \$40,000,000 in 2002, to reimburse the City, the MCDA or the MHFB for any and all Escrow Deposits described in paragraph 1, all for the purpose of providing for the origination of additional single family mortgage loans to be made to Qualified Buyers.

3. All actions of the members, employees and staff of the City Council and the MCDA heretofore taken in furtherance of the policies of the City stated herein are hereby approved, ratified and confirmed.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee, having under consideration the senior rental housing policy developed by the Minneapolis Community Development Agency (MCDA) and the Minneapolis Public Housing Authority, now recommends passage and summary publication of the accompanying resolution establishing a Senior Rental Housing Policy.

Your Committee further recommends that this action be transmitted to the Board of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-539, establishing a Senior Rental Housing Policy was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2001R-539

By Niland

Establishing a Senior Rental Housing Policy.

Whereas, on September 7, 1999, the City Council adopted an Affordable Housing Policy; and

Whereas, as part of that action, the City Council directed the Minneapolis Community Development Agency ("MCDA") to develop options for financing senior rental housing consistent with the Affordable Housing Policy and related programs and policies; and

Whereas, on February 7, 2000, the MCDA reported to the City Council on senior housing issues, ownership options, financing alternatives, and next steps; and

Whereas, a market study completed in early 2001 indicated a demand for various types of senior rental housing in different sectors of the City; and

Whereas, the Minneapolis Public Housing Authority ("MPHA") included language in its 2000-2005 strategic plan regarding expanding housing opportunities for seniors; and

Whereas, on September 14, 2001, at the request of the MPHA, the City Council adopted an amendment to Chapter 420, Minneapolis Code of Ordinances, to authorize the MPHA to own mixed income senior rental housing;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

1. That the following senior rental housing development goals and objectives are hereby adopted:

- Support development of affordable and mixed-income senior rental housing in all quadrants of Minneapolis. Senior rental housing may include independent rental, congregate, and/or assisted living projects.
- Seek opportunities for public and private partnerships.
- Seek new financing options outside of existing affordable housing resources.
- Identify appropriate sites for senior rental housing development based on market information, not solely on opportunity. Locate senior developments close to transit, retail and services.
- Ensure quality management and supportive services.
- Encourage high quality design and amenities.

2. That the local public agency roles related to senior rental housing development shall be as follows:

- MCDA: Continue to identify and make available appropriate sites for senior rental housing development. Provide tax increment, housing revenue bond and gap financing as described below.
- MPHA: Serve as the public owner of essential function bond-financed development, seeking opportunities for public-private partnerships. Issue essential function bonds. Provide Project-Based Section 8 and other financing resources.
- City Planning: Revise city policy documents to include senior housing strategies and assist with project regulatory review and approvals.
- Hennepin County: Provide service coordination and funding.

3. That the following financing tools will be developed to facilitate construction of senior rental housing:

- Housing Revenue Bonds from City's Entitlement Allocation: create a priority and/or set-aside for senior housing development and continue to provide 501(c)(3) bond financing to non-profit developers.
- MCDA Gap Funds: Beginning in 2002, create a priority for senior housing development within the multifamily program guidelines (CDBG/HOME/Development Account funding) and continue to utilize tax increment financing to the extent possible.
- Essential Function Bonds: With MPHA as the issuer, authorize a limited amount (up to \$5,000,000) of essential function bond debt per year, structured as rated revenue (FHA or other) or investment grade rated bonds. Maximum of \$30,000,000 for the total amount of outstanding bonds at any given time.
- MPHA Resources: Project-Based Section 8, Replacement Housing Factor funds, Ross Funds for assisted living projects, and other HUD funds.
- Utilize other sources such as Hennepin County, FHLB, DHS, NRP, etc. to the extent possible and continue to seek other financing tools in order to minimize competition with affordable family housing development.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee recommends approval of the reappointment of Steven Chapman, 3625 - 24th Ave S, Minneapolis, to the Minneapolis Public Housing Authority Board of Commissioners for a three year term, to expire December 31, 2004.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget - Your Committee, having under consideration Modification No 1 to the Grain Belt Brew House Tax Increment Finance Plan as set forth in Petn No 267540, changing the amount of Developer Funds and other revisions to the Description of Financing portion of the TIF plan to bring the district plan current to the date of contract execution which facilitates record keeping and auditing of this district, and having conducted a public hearing thereon, now recommends passage and summary publication of the accompanying resolution adopting said Modification.

Your Committee further recommends that this action be referred to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-540, adopting Modification No 1 to the Grain Belt Brew House Tax Increment Finance Plan was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2001R-540
By Niland and Campbell

Adopting Modification No 1 to the Grain Belt Brew House Tax Increment Finance Plan.

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals.

1.1. Pursuant to Laws of Minnesota 1980, Chapter 595, as amended, and the Minneapolis Code of Ordinances, Chapter 422, as amended (the "Agency Laws") the Housing and Redevelopment Authority in and for the City of Minneapolis has been reorganized, granted additional powers, and designated the Minneapolis Community Development Agency (the "Agency") with the authority to propose and implement redevelopment projects and tax increment financing ("TIF") districts, among other things, all pursuant to Minnesota Statutes, Sections 469.001 to 469.068, 469.109 to 469.134, 469.152 to 469.165, and 469.174 through 469.179 as amended.

1.2. By resolution number 2000R-257 on June 13, 2000, the City of Minneapolis adopted the Grain Belt Brew House Redevelopment Plan and the Grain Belt Brew House TIF Plan, it has been proposed that the Agency modify the Grain Belt Brew House TIF Plan (the "Modification") to update the TIF budget to reflect the terms approved by the City Council and contained in the Redevelopment Contract with Ryan Companies, all pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179, as amended.

1.3. The Agency has prepared, and this Council has examined the proposed Modification that describes more precisely the updated TIF budget and the facts supporting the Plans.

1.4. The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Modification, including, but not limited to, a review of the proposed Modification by the affected neighborhood groups and the Planning Commission, transmittal of the proposed Modification to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.

Section 2. Findings for the Adoption of the Modification.

2.1. The Council hereby finds, determines and declares that the Modification continues to afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Project Area and TIF District by private enterprise.

2.2. The Council further finds, determines and declares that the Modification continues to conform to the general plan for the development or redevelopment of the City as a whole. Written comments of the Planning Commission with respect to the Plans were issued, are incorporated herein by reference, and are on file in the office of the City Clerk.

2.3. The Council reaffirms, finds, determines and declares that the proposed redevelopment would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future and the use of tax increment financing is deemed necessary because the land in the project area would not be made available for redevelopment without the financial aid to be sought. The findings made in Resolution 2000R-257 remain relevant.

2.4. The Council further finds, determines and declares that the conditions that existed when the TIF District was established remain the same and the property that is the subject of this Modification continues to consist of property that qualifies for inclusion in a redevelopment project and a redevelopment TIF district; and the reasons and supporting facts for this determination will be retained and made available to the public until the district has been terminated.

2.5. The Council further finds, determines and declares that the actions authorized by the Modification are all pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047, and Sections 469.174 through 469.179, as amended.

2.6. The Council elected the method of tax increment computation set forth in Minnesota Statutes, Section 469.177, Subdivision 3(a), at the time the TIF District was established, and that it is the intent of the City and Agency that any fiscal disparity contribution required of the City for development occurring within this TIF District be taken from outside this TIF District.

2.7. The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve the Modification.

Section 3. Approval of the Modification.

3.1. Based upon the findings set forth in Section 2 hereof, the Modification presented to the Council on this date are hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Plans.

4.1. The officers and staff of the City and the Agency, and the City's and the Agency's consultants and counsel, are authorized and directed to proceed with the implementation of the Modification, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further plans, resolutions, documents and contracts necessary for this purpose.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration the Stone Arch Redevelopment Plan, a proposal to construct a 273-unit apartment building containing five floors of living space over two levels of underground parking, with 20% of the units being affordable at 60% or below of median income, and 20% of the units being affordable at 50% or below of median income, with an additional 164 market rate units, to be located at 600, 625 Main St SE and 106 - 6th Ave SE, and having held a public hearing thereon, now recommends passage and summary publication of the accompanying resolution approving the creation of the Stone Arch Apartments Redevelopment Plan, as set forth in Petn No 267540.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (MCDA).

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-541, adopting the Minneapolis Stone Arch Apartments Redevelopment Plan for a 273-unit apartment building at 600, 625 Main St SE and 106-6th Ave SE was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2001R-541
By Niland and Campbell

Adopting the Minneapolis Stone Arch Apartments Redevelopment Plan.

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals.

1.01. That the Minneapolis Community Development Agency (the "Agency") has the authority to propose and implement redevelopment projects, all pursuant to Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179 as amended; Laws of Minnesota 1971, Chapter 677, as amended; Laws of Minnesota 1980, Chapter 595, as amended, and Minneapolis Code of Ordinances, Chapter 422, as amended (collectively, the "Laws").

1.02. The Agency has caused to be prepared, and this Council has investigated the facts with respect to a proposed Minneapolis Stone Arch Apartments Redevelopment Plan (the "Plan"), describing more precisely the "Project Area", the activities to be undertaken, objectives for the redevelopment of the Project Area, and identifies land uses for the redevelopment of the Project Area, all pursuant to the Laws.

1.03. The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Plan, including, but not limited to, a review of the proposed Plan by the affected neighborhood groups and the Planning Commission, transmittal of the proposed Plan to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.

1.04. The Council hereby determines that it is necessary and in the best interests of the City at this time to approve the Plan to reflect creation of the Project Area, identification of objectives, activities to be undertaken, and the establishment and preservation of the right of the City to create a redevelopment tax increment financing district that includes these parcels, all pursuant to and in accordance with the Laws.

Section 2. Findings for the Adoption of the Plan.

2.01. The Council hereby finds, determines and declares that the Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Project Area by private enterprise as the proposed undertaking provides a clean site for residential development, eliminates the blighting influences of pollution contamination, removes spur railroad track, includes public and site improvements, including required infrastructure improvements, provides affordable rental units, and other related activities.

2.02. The Council further finds, determines and declares that the Plan conforms to the general plan for the redevelopment of the City as a whole. Written comments of the Planning Commission with respect to the Plan were issued, are incorporated herein by reference, and are on file in the office of the City Clerk in the form of a petition.

2.03. The Council further finds, determines and declares that the land in the Project Area would not be made available for redevelopment without the financial aid to be sought.

2.04. The Council further finds, determines and declares that the area to be included in the Project Area is blighted former industrial Brownfield property, contains vacant and underused former railroad property containing railroad spur tracks, and other obstacles to development, including polluted soil impacts from coal dust at the surface and some more vertically extensive mild to moderate soil impacts from petroleum releases at several locations based on a Phase I Environmental Site Assessment and a Phase II surface and subsurface environmental investigation. Mild to moderate groundwater contamination from petroleum constituents may also be encountered during construction. For these reasons, the Council preserves the right of the City to create a redevelopment tax increment financing district that includes the parcels identified in the Plan, all pursuant to and in accordance with the Laws.

2.05. The Council further finds, determines and declares that the objectives and actions authorized by the Plan are consistent with the undertaking of a redevelopment project, all pursuant to and in accordance with the Laws.

2.06. The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve the Plan.

Section 3. Approval of the Plan.

3.01. Based upon the findings set forth in Section 2 hereof, the Plan presented to the Council on this date of December 28, 2001 is hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Plan.

4.01. The officers and staff of the City and the Agency, and the City's and the Agency's consultants and counsel, are authorized and directed to proceed with the implementation of the Plan, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further plans, resolutions, documents and contracts necessary for this purpose.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration Modification No 14 to the Grant Urban Renewal Plan and Modification No 87 to the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan, both related to the Near Northside Development, which lists designated properties to be acquired, the conditions under which property may be acquired and a map identifying where they are located within the Grant Urban Renewal Area, as set forth in Petn No 267540, and having conducted a public hearing thereon, now recommends passage and summary publication of the accompanying resolution adopting said Modifications.

Your Committee further recommends that this action be referred to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 12; Nays none.

Declining to vote - Cherryhomes.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-542, adopting Modification No 14 to the Grant Urban Renewal Plan, and Modification No 87 to the Common Development and Redevelopment and Common Tax Increment Finance Plan, both relating to the Near Northside Development, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2001R-542

By Niland and Campbell

Adopting Modification No 14 to the Grant Urban Renewal Plan, and Modification No 87 to the Common Development and Redevelopment and Common Tax Increment Finance Plan.

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals.

1.1. Pursuant to Laws of Minnesota 1980, Chapter 595, as amended, and the Minneapolis Code of Ordinances, Chapter 422, as amended, the Housing and Redevelopment Authority in and for the City of Minneapolis has been reorganized, granted additional powers, and designated the Minneapolis Community Development Agency (the "Agency") with the authority to propose and implement redevelopment projects and tax increment financing ("TIF") districts, among other things, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, 469.174 through 469.179, as amended; and Laws of Minnesota 1971, Chapter 677 (collectively, the "Project Laws").

1.2. By Resolution on February 28, 1964, the City Council of the City of Minneapolis approved the Grant Urban Renewal Project and Grant Plan and further, the Agency approved thirteen modifications to the Plan between 1964 and 2001, inclusive, that were approved by the City Council of the City.

1.3. By Resolution No 89R-530 duly adopted December 15, 1989 and approved December 21, 1989, the City of Minneapolis has approved the creation by the Agency of the Common Development and Redevelopment Project (the "Common Project Area") and the adoption of the Common Development and Redevelopment Plan and the Common Tax Increment Financing Plan (the "Common Plans") relating thereto, all pursuant to the Project Laws.

1.4. The Agency has prepared, and this Council has investigated the facts with respect to, a proposed Modification No 14 to the Grant Urban Renewal Plan and Modification No 87 to the Common Plans (the "Modifications"), describing more precisely the parcels to be designated for acquisition located within the boundary of the Grant Urban Renewal Plan and the boundary of the Common Plans in accordance with Project Laws.

1.5. The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Modifications, including, but not limited to, a review of the proposed Modifications by the affected neighborhood groups and the Planning Commission, transmittal of the proposed Modifications to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.

1.6. The Council hereby determines that it is necessary and in the best interests of the City at this time to approve the Modifications to reflect the designation of parcels that may be acquired.

Section 2. Findings for the Adoption of the Modifications.

2.1. The Council hereby finds, determines and declares that the proposed Modifications will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the project by private enterprise.

2.2. The Council further finds that the Modifications conform to the general plan for the development of the City as a whole. Written comments of the Planning Commission with respect to the Modifications were issued and are incorporated herein by reference, and are on file in the office of the City Clerk in the form of a petition.

2.3. The Council further finds that the land in the project would not be made available for redevelopment without the financial aid to be sought.

2.4. The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve the Modifications.

Section 3. Approval of the Modifications.

3.1. Based upon the findings set forth in Section 2, the Modifications presented to the Council on this date are hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Modifications.

4.1. The officers and staff of the City and the Agency, and the City's and the Agency's consultants and counsel, are authorized and directed to proceed with the implementation of the Modifications, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further plans, resolutions, documents and contracts necessary for this purpose.

Adopted. Yeas, 12; Nays none.

Declining to vote - Cherryhomes.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund FEZ0 (EPA Pilot Grant) by \$77,142 and increasing the Fund FEZ0 revenue budget by \$77,142, for use by the Central Community Housing Trust to provide funds for the Pine Cliff Apartments phase of the Franklin-Portland Gateway Project.

Your Committee further recommends that this action be referred to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-543

By Niland and Campbell

Amending The 2001 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund FEZ0 - EPA Pilot Grant by \$77,142 and increasing the Fund FEZ0 revenue estimate (3820-Transfer within Special Revenue Funds) by \$77,142.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund CPO0 (Capital Projects Other) by \$11,225,996 and increasing the Fund CPO0 revenue budget by \$11,225,996, to be used for refunding of existing Orpheum Theatre bonds, costs of bond issuance and required debt service reserves associated with the Pantages-Stimson renovation project and improvements to the State and Orpheum theatres.

Adopted. Yeas, 12; Nays, 1 as follows:

Yeas - Campbell, Biernat, Niland, Goodman, Colvin Roy, McDonald, Mead, Lilligren, Johnson, Schiff, Ostrow, Cherryhomes.

Nays - Lane.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-544

By Niland and Campbell

Amending The 2001 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund CPO0 - Capital Projects Other by \$11,225,996 and increasing the Fund CPO0 revenue estimate (3911-Loan Proceeds) by \$11,225,996.

Adopted. Yeas, 12; Nays, 1 as follows:

Yeas - Campbell, Biernat, Niland, Goodman, Colvin Roy, McDonald, Mead, Lilligren, Johnson, Schiff, Ostrow, Cherryhomes.

Nays - Lane.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration Franklin Avenue improvements as set forth in Petn No 267541, now recommends:

- a) Approval of an allocation of \$80,00 from the Commercial Corridors set-aside to support improvements along Franklin Ave;
- b) Passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund FNA0 (MCDA Neighborhood) by \$ 80,000;
- c) Conversion of 100% of the previously approved \$250,000 match to the American Indian Business Development Corp (AIBDC) for Federal Economic Development Account (EDA) Funds to a grant or long-term deferred loan, and permission to disburse these funds prior to disbursement of the EDA funds; and
- d) That this action be referred to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-545

By Niland and Campbell

Amending The 2001 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund FNA0 - MCDA Neighborhood by \$80,000 from available fund balance.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration increased River Terminal operating expenses and reimbursement of Minneapolis Community Development Agency (MCDA) administrative costs, set forth in Petn No 267541, now recommends:

- a) Passage of the accompanying resolution increasing the MCDA appropriation in Fund ERT0 (River Terminal) by \$152,714, for a new total of \$2,809,940;
- b) Approval of an increase in the River Terminal 2001 Annual Operating Budget by \$131,177, for a new total of \$2,450,000.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-546

By Niland and Campbell

Amending The 2001 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund ERT0 - River Terminal by \$152,714 from existing fund balance.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund SMN0 (MCDA State Grants & Loans) by \$250,000 and increasing the Fund SMN0 revenue budget by \$250,000 to reflect acceptance of grant funds received in the amount of \$100,000 from the Family Housing Fund and \$150,000 from the Minnesota Housing Finance Agency for the Minneapolis Lot Reduction Project.

Your Committee further recommends that this action be referred to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 28, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published January 2, 2002)

RESOLUTION 2001R-547

By Niland and Campbell

Amending The 2001 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund SMN0 - MCDA State Grants & Loans by \$250,000 and increasing the Fund SMN0 revenue estimate by \$150,000 (3215-04 MN State Grants) and by \$100,000 (3215-13 Other MN State Grants).

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 28, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published January 2, 2002)

Comm Dev & W&M/Budget - Your Committee recommends approval of the transfer of administration duties for all bond issues previously administered by Miller & Schroeder Financial, Inc., to Firststar Bank, N.A. in relation to the Minneapolis Community Development Agency's (MCDA) mortgage programs, and that the proper MCDA officers be authorized to sign all the necessary documents on behalf of the City of Minneapolis and the MCDA to permit this transfer.

Your Committee further recommends that this action be referred to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration supplemental financing for the Coliseum Building at 2700 E Lake St for an additional third floor build-out, as described in Petn No 267541, now recommends:

- a) Approval of a supplemental loan of \$250,000 from the Commercial Corridors Program to facilitate the redevelopment of the Coliseum Building at 2700 E Lake St;
- b) Passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund CAZ0 (Common Project - Uncertified) by \$250,000;
- c) That the City's administrative fee for this project be waived; and
- d) That this action be referred to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-548
By Niland and Campbell

Amending The 2001 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund CAZ0 - Common Project-Uncertified by \$250,000.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund CAZ0 (Common Project-Uncertified) by \$900,000 and increasing the Fund CAZ0 revenue budget by \$900,000, reflecting an administrative correction in the June 22, 2001 Council action relating to Transit-Oriented Development at the Franklin Avenue Light Rail Transit Station.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-549
By Niland and Campbell

Amending The 2001 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund CAZ0 - Common Project-Uncertified by \$900,000 and increasing the Fund CAZ0 revenue estimate (3845-Transfer within Capital Project Funds) by \$900,000.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee recommends that the proper City officers be authorized to submit an application in the amount of \$469,625 to the Department of Trade and Economic Development Contamination Cleanup Grant Program for the Near North Redevelopment Project for the removal of asbestos insulation and for future contamination cleanup needs.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **ZONING & PLANNING** Committees submitted the following report:

Comm Dev & Z&P - Your Committee, having under consideration the Development Objectives for the Hi-Lake Center, Hiawatha Av and E Lake St, set forth in Petn No 267543,

Comm Dev - now recommends concurrence in the recommendation of the Planning Commission, as follows:

1. Adoption of the Development Objectives, with the following amendments.

a. Amend paragraph d), page 4, under V. Land Use and Design, Housing, to read as follows: An absolute minimum of 150 units of housing is expected on this site. Proposals for housing at or near the minimum number of units should clearly articulate how the project meets each development objective in lieu of fewer housing units. Development proposals that exceed the minimum number of residential units, while maintaining the mix of other non-residential land uses on the site, are strongly encouraged. Such proposals shall also maintain consistency with the Hiawatha/Lake Station Area Master Plan.

b. Amend last sentence, page 2, under II, Intent, Vision for the Area, to read as follows: The integration and accommodation of multiple transportation modes (e.g., bus service, commuter bicycle travel, transit service on the Midtown Greenway, and auto drop-off space) next to this site will be another critical component of new development.

c. Amend paragraph f, page 3, under III, Objectives, to read as follows: Integrate multi-modal transportation connections, with special attention to pedestrian connections, with the purpose of making the area an important transit hub.

d. Amend 5th paragraph, 2nd bullet, page 3, under IV, Evaluation Standards, to read as follows: Integration of transportation modes - e.g., LRT, trolleys, buses, bikes, walking, wheelchairs.

e. Amend paragraph c), page 5, under VI, Transportation and Transit, to read as follows: A transit transfer zone is best accommodated within 300 feet of the entrance to the LRT station, and should incorporate enclosed, weather protected shelter for passengers traveling from Lake Street buses to the station platform. Transfers between various transportation modes should convey the sense that changing from one mode to another is safe, convenient and comfortable. Facilities should be planned for and implemented in partnership between the Project Review Committee, the project developer, and public agencies such as Metro Transit. See Section VIII, Public Improvements and Redevelopment Activities, for more information.

Z&P - now recommends concurrence in the recommendation of the Planning Commission, as follows:

1. Adoption of the Development Objectives, with the following amendments.

a. Amend paragraph d), page 4, under V. Land Use and Design, Housing, to read as follows: An absolute minimum of 150 units of housing is expected on this site. Proposals for housing at or near the minimum number of units should clearly articulate how the project meets each development objective in lieu of fewer housing units. Development proposals that exceed the minimum number of residential units, while maintaining the mix of other non-residential land uses on the site, are strongly encouraged. Such proposals shall also maintain consistency with the Hiawatha/Lake Station Area Master Plan.

b. Amend last sentence, page 2, under II, Intent, Vision for the Area, to read as follows: The integration and accommodation of multiple transportation modes (e.g., bus service, commuter bicycle travel, transit service on the Midtown Greenway, and auto drop-off space) next to this site will be another critical component of new development.

c. Amend paragraph f, page 3, under III, Objectives, to read as follows: Integrate multi-modal transportation connections, with special attention to pedestrian connections, with the purpose of making the area an important transit hub.

d. Amend 5th paragraph, 2nd bullet, page 3, under IV, Evaluation Standards, to read as follows: Integration of transportation modes - e.g., LRT, trolleys, buses, bikes, walking, wheelchairs.

e. Amend paragraph c), page 5, under VI, Transportation and Transit, to read as follows: A transit transfer zone is best accommodated within 300 feet of the entrance to the LRT station, and should incorporate enclosed, weather protected shelter for passengers traveling from Lake Street buses to the station platform. Transfers between various transportation modes should convey the sense that changing from one mode to another is safe, convenient and comfortable. Facilities should be planned for and implemented in partnership between the Project Review Committee, the project developer, and

public agencies such as Metro Transit. See Section VIII, Public Improvements and Redevelopment Activities, for more information.

Further, your Committee recommends that the following amendments be incorporated into the Development Objectives:

f. Amend last sentence, page 2, under II, Intent, Vision for the Area, to read as follows: The integration and accommodation of multiple transportation modes (bus service, commuter bicycle, auto drop off space, and Midtown Greenway trolleys), next to this site will be another critical component of new development.

g. Amend paragraph f, page 3, under III, Objectives, to read as follows: Integrate multimodal transportation connections that will make the area a transit hub for bikes, busses, trolleys, wheelchair users, and pedestrians.

h. Amend 5th paragraph, 2nd bullet, page 3, under IV, Evaluation Standards, to read as follows: Integration of transportation modes - LRT, bus, bike, walking, two-way trolley, and wheelchairs.

i. Amend the second sentence in paragraph c) page 5, under VI, Transportation and Transit, to read as follows: Multimodal transfers (bike, trolley, bus, taxi, pedestrians) should convey the sense that changing from one mode to another is all possible under one roof.

Niland moved to amend the report by approving the Zoning & Planning Committee recommendation and deleting the Community Development Committee recommendation. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** Committee submitted the following reports:

H&HS - Your Committee recommends that the proper City Officers be authorized to execute a contract with the State of Minnesota, through its Department of Health, in the amount of \$2,000, for Laboratory Director and consulting services as required under CLIA certification policies for the period January 1, 2002 through December 31, 2003, payable from Health & Family Support (010-860-8614).

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the Head Start Program, now recommends that the proper City Officers be authorized to issue Fund Availability Notice #09-5, under Master Contract #10020, to Parents in Community Action/Head Start, in the amount of \$30,000, for the purchase of services to upgrade their data systems and computer network for the period July 1 through December 31, 2001, payable from Health & Family Support (060-860-8605).

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends that the proper City Officers be authorized to execute a contract with Parent Advocacy Coalition for Educational Rights Center (PACER Center Inc) to accept up to \$12,500 during the period November 1, 2001 through September 30, 2002 for Minneapolis Employment & Training (METP) Youth Vendors to receive training to expand their capacity to service disabled Minneapolis youth.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends that the proper City Officers be authorized to execute a contract with Hennepin County, through its Training and Employment Assistance Department, to receive funding to provide dislocated worker services at two Minneapolis Workforce Centers for workers laid off from airline and related jobs following the events of September 11, 2001. Said contract shall be for the period October 16, 2001 through June 30, 2002.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

H&HS & W&M/Budget - Your Committee recommends that the Department of Health & Family Support be authorized to hire a 1.0 Full-Time Equivalent (FTE) grant funded position for the coordination of the State funded TANF Home Visiting Project, with applicants being informed that continuation of the position is contingent upon the receipt of grant funds.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 28, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published January 2, 2002)

H&HS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to issue a Request for Proposals for population based public health education consulting services.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS & W&M/Budget - Your Committee, having under consideration the Skyway Senior Center, now recommends that the proper City Officers be authorized to collect fees for classes and other direct services provided at the Center, such as the use of the copy machine. Further, that the Finance Department be authorized to set up the proper accounts in the Health & Family Support Agency (060-860-8607) to receive fees from residents.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS & W&M/Budget - Your Committee, having under consideration the development and maintenance of a State-wide Health Alert Network, now recommends that the proper City Officers be authorized to execute Amendment #1 to Contract #16848 with the State of Minnesota, through its Department of Health, to extend the termination date through December 31, 2002 and to receive an additional \$14,200 in funds for the third year of a project to promote public health preparedness and response in the event of a bioterrorist or other public health threat.

Your Committee further recommends passage of the accompanying Resolution appropriating \$14,200 to the Health & Family Support Agency to reflect receipt of said funds.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-550
By Lane and Campbell

Amending The 2002 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution be amended by increasing the appropriation for the Health & Family Support Agency in the Grants - Federal Fund (030-860-8623) by \$14,200 and increasing the Revenue Source (030-860-8623 - Source 3210) by \$14,200.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to execute Amendment #1 to Contract #16444 with the Healthy Learners Board to accept additional revenue of \$37,000 and extend the termination date through December 31, 2002 to provide funding for the New Family Center and the HLB asthma initiative.

Your Committee further recommends passage of the accompanying Resolution appropriating \$37,000 to the Health & Family Support Agency to reflect receipt of said funds.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-551
By Lane and Campbell

Amending The 2001 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health & Family Support Agency in the Grants - Other Fund (060-860-8621) by \$37,000 and increasing the Revenue Source (060-860-8621 - Source 3755) by \$37,000.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to submit a grant application, on behalf of the Minneapolis Workforce/Private Industry Council, to the United States Department of Labor seeking up to \$1,000,000 in funding from the Work Incentive Grants Program to provide comprehensive case management and outreach services to people with disabilities residing primarily in the Minneapolis Empowerment Zone.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **INTERGOVERNMENTAL RELATIONS** Committee submitted the following reports:

IGR - Your Committee concurs in the recommendation of the Minneapolis Charter Commission that the accompanying ordinance amending the City Charter, Chapter 14 relating to Board of Health, modernizing language related to delegation of authority and penalties, be adopted by the affirmative vote

of all members of the City Council, pursuant to Minnesota Statutes, Section 410.12, Subd. 7. (Petr No 267548)

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 2001-Or-159

By Biernat

Intro & 1st Reading: 9/28/2001

Ref to: Intergovernmental Relations

2nd Reading: 12/28/2001

Amending Chapter 14 of the Minneapolis City Charter relating to Board of Health, modernizing language related to delegation of authority and penalties. (Amendment No. 152)

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 14, Section 3 of the Minneapolis City Charter be amended to read as follows:

Section 3. Special Powers and Duties of City Council. In addition to the general powers herein granted the Board of Health shall have the following powers and duties:

- (a) To enforce all sanitary and public health laws of the State of Minnesota applicable to the City of Minneapolis, the provisions of this Charter and all city ordinances relating to the sanitary regulations of the city.
- (b) To make rules and ordinances as may seem necessary and proper for the purpose of compelling all physicians practicing within the limits of the City of Minneapolis to make reports of all cases of contagious diseases upon which they may be in attendance, and all keepers of boarding or lodging houses, and all innkeepers and hotel keepers to make reports of all cases of contagious diseases occurring within their respective houses and generally to make such rules and regulations as the City Council may deem necessary to carry into effect the provisions of this section.
- (c) To take such measures as the City Council may in good faith declare the public safety and health to demand in case of pestilential or epidemic diseases or all danger from anticipated or impending pestilences or diseases or in case the sanitary conditions of the city shall be of such a character as to warrant it.
- (d) To direct the Commissioner of Health or Director of Operations and Regulatory Services to inspect any part of the city which from its location or from any collateral circumstances may be deemed the cause of diseases and in all cases where the Commissioner or Director may discover any agent the existence of which will prove dangerous to the health of the city and there is no ordinance competent to the correction of the evil, the Commissioner or Director shall immediately report the same to the City Council accompanied with the Commissioner's or Director's opinion of the necessity of extraordinary or particular action.
- (e) To cause all nuisances in the city to be abated with reasonable promptness, and for such purposes the City Council and its officers and employees shall be permitted and are hereby authorized, at all reasonable times, to enter upon or into any premises, house or other building or structure in the city and make all necessary examinations to determine the sanitary conditions thereof, and to cause any and all nuisances existing there to be forthwith removed and abated, after giving notice to the owner, agent or occupant of such premises, house or other building or structure as herein provided. The notice to abate any such nuisance shall be served personally upon the owner, agent or occupant of the premises, house or other building or structure in or upon which said nuisance exists in all cases where such owner, agent or occupant can be readily ascertained and found in the city. Such notice may be served by mail in all cases where such owner, agent or occupant is not in the city or cannot be found therein and the post office address of the person is unknown. It may likewise be served by posting and

keeping posted for 24 hours, a copy of such notice upon the premises, house, building or other structure in or upon which any such nuisance exists whenever the owner or agent thereof is not known or cannot be found, and the post office address of the person is unknown. If such nuisance is not abated within a reasonable time after the service or posting of said notice, such reasonable time to be stated in such notice, such nuisance may be abated by or under the direction of said City Council and the cost of such abatement may in the first instance be paid from any funds under the control of the City Council. The cost of the abatement of any such nuisance paid by the City Council and not reimbursed by the owner, occupant or agent, shall be reported to the City Council, and the City Council shall assess and levy, and cause to be collected, the amount of such cost as a special assessment upon and against the premises and property upon which such nuisance existed, in like manner as other special assessments, payable in one sum, and assessed, levied and collected in the city. Such assessments, when collected shall be paid over by the County Treasurer to the City Finance Officer of the city.

- (f) To authorize at all reasonable times the ~~Commissioner of Health~~ Director of Operations and Regulatory Services or any inspector to enter into any house, store, or other building, and to cause the opening of the floor, if the ~~Commissioner~~ Director or inspector should deem it necessary, in order to have a thorough examination of cellars, vaults, sinks or drains, and to cause all privies to be cleaned and kept in good condition, and to cause all dead animals, or nauseous or unwholesome things or substances to be buried, or removed, or disposed of as the City Council may direct.
- (g) To select, purchase, lease and establish such sites, places and boundaries for quarantine stations and purposes and erect from time to time such buildings and hospitals upon such sites and places and to keep the same in repair as in the judgment of the City Council may be deemed necessary.
- (h) To order or cause any excavation, erection, vehicle, vessel, watercraft, room, building, place, sewer, pipe, passage, premises, ground, matter or thing in the City of Minneapolis, regarded by said City Council as in a condition dangerous or detrimental to life or health, to be purified, cleansed, disinfected, altered or improved, and may also order any substance, matter or thing being or left in any street, alley, water, excavation, building, erection, place or grounds (whether such place where the same may be is private or public) and which said City Council may regard dangerous or detrimental to life or health, to be speedily removed, and may designate or provide a place to which the same shall be removed, when no such adequate or proper place, in the judgment of said City Council is already provided.
- (i) To aid in the enforcement of, and, as far as practicable, to enforce all laws to this state applicable within the limits of the City of Minneapolis, to the preservation of human life or to the care, promotion or protection of health; and said City Council may exercise the authority given by the laws aforesaid, to enable them to discharge the duties herein imposed; and this section is intended to include all laws relative to cleanliness, and to the use or sale of poisonous, unwholesome, deleterious or adulterated drugs, medicines or foods. And said City Council is authorized to require reports and information at such times and of such facts, and generally of such nature and extent relating to the safety of life and the promotion of health, as its rules may provide, from all dispensaries, hospitals, asylums, infirmaries, prisons and schools from the managers, principals and officers thereof; and from all other institutions, their officers and managers, and from the proprietors, managers, lessees and occupants of all theaters and other places of public resort or amusement in said city; and it is hereby made the duty of the officers, institutions and persons so called on or referred to promptly to give such reports, verbally or in writing, as may be required by said City Council.

Section 2. That Chapter 14, Section 7 of the Minneapolis City Charter be amended to read as follows:

Section 7. Penalty for Violation of Ordinances and Rules. Any person who shall fail or neglect to comply with any clause, provision, requirement, duty or orders, or who shall interfere with or in any manner resist any officer or agent of the City of Minneapolis, in the discharge of such officer's or agent's duty, as herein contemplated, or who shall commit any such breach of peace or be guilty of any act or thing calculated to defeat or interfere with the carrying into effect of any part of this act, or any regulation or order of said City Council or ordinance of said city in relation to the public health shall, upon arrest

and conviction by the District Court of the County of Hennepin, be subject to a fine of not to exceed ~~seven hundred dollars (\$700)~~ the maximum fine as provided by Minnesota Statutes, Section 609.033, as amended, nor less than ten dollars (\$10) for each offense, together with costs of prosecution.

Section 3. That Chapter 14, Section 8 of the Minneapolis City Charter be amended to read as follows:

Section 8. Officers to Be Appointed. The Commissioner of Health shall be appointed as provided in Chapter 3 Section 4 of this Charter. The Commissioner of Health may appoint (1) seven bureau directors, (2) health physicians and (3) the assistant director of dentistry to perform the duties and services directed by the Commissioner. The Commissioner of Health and the above listed positions appointed by the Commissioner shall not be included in the classified service of the city, under the Civil Service Chapter of this Charter, and shall not subject to the provisions of such Chapter. All other employees of the ~~Health Department~~ of Health and Family Support shall be under the Civil Service Chapter.

The Commissioner of Health shall be a qualified person who is trained and experienced in public health administration, preferably a physician. The Commissioner of Health shall have the management and control of all matters pertaining to the public health, as authorized by ordinance or as delegated by and under the supervision of the City Council.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

IGR - Your Committee, having conducted a public hearing on the appointment of Kathleen Lamb to the Minneapolis Public Library Board of Trustees, now recommends that the Council reappoint Ms Lamb to said Board for a two-year term to begin January 1, 2002 and expire December 31, 2003. (Petr No 267549)

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

IGR - Your Committee, recognizing Council Member Joan Campbell's expertise, now recommends that she be appointed to continue to serve on the New Central Library Implementation Committee.

Johnson moved that the following two reports, amending Resolution No 2001R-080, and naming Lisa Goodman and Joan Campbell to the New Library Implementation Committee, be substituted for the above report. Seconded.

The motion to substitute was adopted by unanimous consent.

IGR - Your Committee recommends passage of the accompanying resolution amending Resolution No 2001R-080, passed March 2, 2001, and authorization of summary publication.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-552, entitled "Amending Resolution No 2001R-080 entitled 'Resolution continuing the partnership between the Minneapolis Library Board and City of Minneapolis for completing the New Central Library Project,' passed March 2, 2001," was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. The resolution changes the City Council's representation on the New Library Implementation Committee from two Council Members to two representatives chosen by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution:

RESOLUTION 2001R-552

By Johnson

Amending Resolution No 2001R-080 entitled "Resolution continuing the partnership between the Minneapolis Library Board and City of Minneapolis for completing the New Central Library Project," passed March 2, 2001.

Resolved by The City Council of the City of Minneapolis:

That the above entitled resolution be amended by changing the paragraph relating to City Council membership on the New Central Library Committee to read as follows:

City Council

Two representatives chosen by the City Council

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

IGR - Your Committee recommends that Council Member Lisa Goodman and Joan Campbell be chosen as representatives of the City Council on the New Central Library Implementation Committee, pursuant to Resolution 2001R-080, as amended by Resolution 2001R-552.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **INTERGOVERNMENTAL RELATIONS** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

IGR & W&M/Budget - Your Committee recommends that a request for exemption of the New Central Library Project from the Minnesota sales and use taxes be included in the City's 2002 legislative agenda. (Petr No 267550)

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS - Your Committee, having under consideration the application of Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 225 E Hennepin Av, for an On-Sale Liquor Class E with Sunday Sales License (new business) to expire January 1, 2003, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Biernat moved to amend the report to include a Sidewalk Cafe License to expire April 1, 2003. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the application of Keegan Pubs LLC, dba Keegans Pub, 16 University Av, for an On-Sale Liquor Class C-1 with Sunday Sales License (new business) to expire January 1, 2003 and a Sidewalk Cafe area, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the application of South Beach LLC, dba South Beach, 323 1st Av N, for an On-Sale Liquor Class A with Sunday Sales License (regular expansion of premises) to expire January 1, 2000, now recommends that said license be granted, subject to the following conditions:

a. South Beach staff will monitor the occupancy levels of all public areas in the club to insure that the posted occupancy limits are not exceeded on each level of the facility. In addition, the stairs must be monitored to allow free access between the two levels.

b. South Beach will close at 1:15 a.m. on all days of the week unless the licensee maintains a late hours entertainment license as provided in Section 360.75 of the Minneapolis Code of Ordinances, and that food service will be available, in accordance with the requirements of Section 360.75(b). In the event that South Beach remains in compliance with the requirements of the late hours entertainment license of Section 360.75, the establishment may remain open for food service and entertainment until 1:45 a.m. on Wednesday, Thursday, Friday and Saturday nights. All other nights, the establishment will close at 1:15 a.m. unless there is a special event, in which case the Downtown Command Duty Sergeant will be informed a minimum of one week in advance by phone call and facsimile.

c. South Beach will provide alcohol server training to all current employees and managers and will provide this training to all new employees within 60 days of hire.

d. Employees will be instructed to refuse alcohol service to any person who appears to be obviously impaired, and written policies to this effect will be posted. Management will monitor the service areas at all times to insure compliance. Management will support employees who make a determination under this policy to refuse alcohol beverage service.

e. South Beach management shall schedule and maintain adequate uniformed and plain clothes security personnel to insure the safe and lawful operation of all licensed activities. Plain clothes security will be dedicated to that function exclusively and will be attired in such a manner as to be readily identifiable by the public and police. South Beach recognizes the need for consistency in its security operation. To this end, the licensee will provide a written policy to its armed security force specifying how and when any kind of force will be used and when arrests will be made. The security staff will work with the Downtown Command to make arrests when appropriate and to notify them of any problematic customers that they have.

f. South Beach management will schedule and maintain adequate uniformed and plain clothes security personnel beyond closing time to insure effective dispersal of venue-associated crowds from sidewalk areas in front of the club and to maintain open pedestrian passageways along 1st Street North to the corner at 4th Avenue North. Security personnel will work to insure that the crowd uses designated crosswalks when crossing the street. In addition, club security personnel shall cooperate in the dispersal of crowds in the parking lot across the street.

g. Only those persons with valid parking stubs and their guests will be allowed to wait in the valet zone. At least one uniformed security person will be in attendance at the valet location from approximately 10:30 p.m. to closing on those evenings when near capacity crowds are present at the club in order to control street traffic and move loiterers as needed. South Beach management will use best management practices when scheduling this security person so that they are present when such security measures are needed.

h. South Beach security personnel will use best efforts to prevent automobile traffic from stopping in front of the club or blocking traffic outside of the valet zone.

i. South Beach will direct appropriate staff to clean and pick up the sidewalk, alleyways and all adjacent areas within 100 feet of its lot lines within two hours of closing in accordance with Section 360.95 of the Minneapolis Code of Ordinances.

j. A monthly calendar of club events shall be faxed to the Downtown Command by the 15th day of the preceding month. Any changes or additional information regarding any special events will be communicated to the Sector Lieutenant via voice mail at 673-3679.

k. If after investigation it has been proven that an underage customer has been in the club illegally, South Beach management commits to taking appropriate disciplinary actions against responsible security staff. In addition, South Beach will, upon identification of an illegal I.D. card, contact 911 and request a police response. Photographs will be taken of individuals who have historically caused problems at South Beach and these pictures will be posted for South Beach employees and security staff to insure that such individuals are not allowed in the facility.

l. The Department of Licenses & Consumer Services agrees, in writing, that any observed violations, other than ongoing criminal investigations, of the above provisions will be reported to South Beach Management as soon as possible in order to insure that the Club has the opportunity to address these issues in a timely fashion outside of the formal Technical Advisory Committee (TAC) process.

m. Final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends granting the following applications for liquor, wine and beer licenses:

Off-Sale Liquor, to expire October 1, 2002

Meka Inc, dba Minnehaha Liquor, 2613 E Lake St (new manager);

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2000

Al Di Sal Inc, dba Lounge, 411 2nd Av N (new manager and regular expansion of premises);

On-Sale Liquor Class A with Sunday Sales, to expire April 1, 2002

Wellbridge Licensing Inc, dba Calhoun Beach Club, 2730 W Lake St (change in ownership from CBC Athletic Club Inc);

Dixies Smokehouse Foods Inc, dba Dixies Calhoun, 2730 W Lake St (change in ownership from CBC Athletic Club Inc);

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2002

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises December 8, 2001, 6:00 p.m. to 1:00 a.m., Katun Corporation);

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises December 7, 2001, 6:00 p.m. to 1:00 a.m., First Friday);

On-Sale Liquor Class A with Sunday Sales, to expire December 18, 2001

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises December 18, 2001, 5:00 p.m. to 8:00 p.m. Better World Campaign);

On-Sale Liquor Class B with Sunday Sales, to expire October 1, 2002

Medich Enterprises Inc, dba Library Bar & Grill, 1301 4th St SE;

On-Sale Liquor Class C-1 with Sunday Sales, to expire January 1, 2001

La Bodega Tapas Bar LLC, dba La Bodega Tapas Bar LLC, 3001 Lyndale Av S (new business, change from On-Sale Wine);

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2001

Harrison Restaurant Holdings Inc, dba Sushi Sawatdee, 118 4th St N (new shareholder/partner);

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 2001

Schooner Inc, dba Schooner, 2901 27th Av S (new shareholder/partner and new corporate officer);

Temporary On-Sale Liquor

Minneapolis Urban League, dba Minneapolis Urban League, 2100 Plymouth Av (November 16, 2001, 6:30 p.m. to 11:00 p.m., Professional Networking Event at 2100 Plymouth Av N; Licensed Facilitator: Atrium Catering);

Off-Sale Beer, to expire April 1, 2002

Dawood Lalji Inc, dba Centre Village Shop, 700 5th Av S (new proprietor);
NLX Huabtais Tswbtshoj Asian Foods LLC, dba NLX Huabtais Tswbtshoj Asian Foods, 2122 W
Broadway (new business).

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends granting the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of December 28, 2001, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petr No 267554):

Amusement Devices; Billboard Erector; Bill Posting & Sign Painting; Bill Posting, Sign Painting & Hanger; Building Contractor Class A; Building Contractor Class B; Check Cashing; Christmas Tree; Dry Cleaning & Laundry Pickup Station; Laundry; Drywall Contractor; Place of Entertainment; All Night Special Food; Caterers; Grocery; Food Manufacturer; Restaurant; Short-Term Food Permit; Sidewalk Cafe; Gas Fitter Class A; Heating, Air Conditioning & Ventilating Class A; Heating, Air Conditioning & Ventilating Class B; Lodging House; Lodging House with Boarding; Motor Vehicle Dealer – Used Only; Motor Vehicle Immobilization Service; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Towing Class B; Towing Class D; Motor Vehicle Used Parts Dealer; Commercial Parking Lot Class A; Commercial Parking Lot Class B; Peddler – Special Religious; Plasterer; Plumber; Pool Table; Refrigeration Systems Installer; Second-Hand Goods Class B; Sign Hanger; Solid Waste Hauler; Steam & Hot Water Systems Installer; Tattooist/Body Piercer; Tattooist/Body Piercer Establishment; Taxicab Vehicle; Theater Zone I; Theater Zone III; Tobacco Dealer; Combined Trades; Wrecker of Buildings Class A; Wrecker of Buildings Class B.

Biernat moved to amend the Petition, Page #9 of the Addendum, Item #45, to grant the application submitted by Sign Productions Inc, dba Sign Productions, 1010 1st St NW, Cedar Rapids, MN, for a Sign Hanger License. Seconded.

Adopted upon a voice vote.

Mead moved to amend the Petition, Page #53, Item #478, to grant the application submitted by W & F Inc, dba Wafana's Food Market, 2326 Lyndale Av N, for Grocery, Food Manufacturing and Tobacco Dealers Licenses, subject to the following conditions, as more fully set forth in said Petr on file in the Office of the City Clerk and made a part of this report by reference:

a. the business will create a system for issuing and tracking 90-day No Trespassing Notices complete with pictures of trespassed people, and will work with the Community Crime Prevention/SAFE Team and Lieutenant Przynski to start the system.

b. the business will take back control of the entryway and parking lots by having staff ask loiterers and people causing problems to leave the property. If the people do not comply, the staff will immediately call 911. Staff will cooperate with responding officers and issue 90-day No Trespassing Notices.

c. the business will post copies of the Hawthorne Community Standards on the exterior as well as the interior of the store. If the copies get damaged, they will be immediately replaced.

d. the business will hire security to assist in gaining control of the exterior of the premises.

e. the business agrees to chain off the lot after hours to prevent vehicles from using the lot.

f. the business agrees to move employee parking to the north side of the building beginning on January 1, 2002 and to fence or chain off the west side so that it reduces foot traffic by April 30, 2002.

g. the business will call Officer Judy Perry to schedule a formal security survey, to be completed by January 7, 2002.

h. the business agrees to keep all lights properly functioning and to add lights if recommended by Officer Perry.

i. the business agrees to move the parking barriers back into the lot or to some other orderly location.

j. the business agrees to restripe the parking areas so that spaces are clearly marked and traffic is directed to legal parking spaces and not the sidewalk, to be completed as soon as the weather is warm enough to allow painting but not later than April 31, 2002.

k. the business agrees to pick up trash and litter at least twice per day so that the area within 100 feet of the property line is free of litter and debris.

l. the business agrees to steam clean the sidewalks around the business as soon as the weather is warm enough to allow it but not later than April 31, 2002.

m. the business agrees to keep the windows completely free of signs and materials, and will clean the windows with Lexan to remove glue and other markings by January 31, 2002.

n. the business agrees to remove all old or faded signs from the exterior and to keep signs and banners hung straight with all corners fastened according to CPTED standards. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling Lawful Class B

Minneapolis Riverview Lions Club, 2520 26th Av S (Site: BJ's Liquor Lounge, 229 W Broadway);

Minneapolis Riverview Lions Club, 2520 26th Av S (Site: Stardust Lanes, 2520 26th Av S);

Minneapolis Riverview Lions Club, 2520 26th Av S (Site: Lee's Liquor Bar, 101 Glenwood Av N);

East Side Neighborhood Service Inc, dba East Side Neighborhood Services, 1700 2nd St NE (Site: Gabby's Saloon, 1900 Marshall St NE);

East Side Neighborhood Service Inc, dba East Side Neighborhood Services, 1700 2nd St NE (Site: Mayslacks, 1428 4th St NE);

Gambling Lawful Exempt

Goldbrick Club, dba Goldbrick Club, 1811 University Av NE (Raffle, February 18, 2002 at Jax Cafe, 1928 University Av NE).

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration Taxicab Driver License #04854 held by Abdirahim Abdi Mohamed, 1916 Portland Av S, and having received Findings of Fact, Conclusions and Recommendations after the licensee agreed to forgo a Technical Advisory Committee (TAC) hearing thereon for having been issued violations of the Minneapolis Traffic and Taxicab Codes, and has stipulated that the Findings are true and correct, now recommends adoption of the following recommendations, as more fully set forth in said Findings, on file in the Office of the City Clerk and made a part of this report by reference:

a. that the licensee pay an administrative fine of \$200 in the form of a money order to the City of Minneapolis.

b. that said Taxicab Driver's License be suspended for a period of seven days, to be served November 16 through 23, 2001.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the On-Sale Liquor Class A with Sunday Sales License held by Banana Joe's of Minnesota Inc, dba Banana Joe's Island Bar & Grill, 15 S 5th St, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing for serving alcohol to a minor and for serving alcohol to obviously intoxicated persons in violation of State Statutes and the Minneapolis Code of Ordinances; and having

received complaints from patrons of Banana Joe's that they were assaulted by security personnel or bouncers; and having concluded that security is inadequate to control crowds both inside and outside of the establishment; and that the drink specials offered by Banana Joe's have contributed to over consumption by its patrons, now recommends that said On-Sale Liquor Class A with Sunday Sales License be suspended for three days, to be stayed for a period of four months from the effective date of the TAC Agreement, subject to the following conditions as more fully set forth in said Findings, on file in the Office of the City Clerk and made a part of this report by reference:

a. that the licensee pay a fine of \$10,000 to the City of Minneapolis within 45 days of the effective date of the TAC Agreement.

b. that as of the effective date of the TAC Agreement, the occupancy level at Banana Joe's is set at a maximum of 850 persons. The licensee agrees that it will, at no time, exceed this capacity unless the City of Minneapolis agrees in writing to an increased occupancy level. The licensee further agrees that it will implement use of mechanical counting devices (clickers) to monitor occupancy and to maintain the legal limit.

c. the licensee agrees to install additional lights on the back of the building and paint the back of the building.

d. the licensee agrees to train all employees in over serving and management of alcohol consumption by patrons. In addition, the licensee agrees to provide a refresher course on the serving of alcohol at the beginning of the summer and then another course halfway through the summer to all its employees.

e. the licensee agrees to maintain three on-site residential managers at its establishment and that it will report the names and addresses of each manager to the appropriate City officials. Further, the licensee agrees that two of these managers will be working at Banana Joe's every Friday and Saturday night. In addition, the licensee agrees to maintain and operate security at all times that is adequate to insure the safety and welfare of the business, its patrons and employees.

f. the licensee will institute a program whereby each week the management at Banana Joe's will gather and transmit to Banana Joe's Corporate Office information regarding the club. Banana Joe's management will also check in with the on-duty police supervisor at the Downtown Command to discuss issues that may have arisen. All incident reports and other items will be part of the overall report and will be sent to the corporate office.

g. the licensee agrees to review its security procedures and meet with Minneapolis Community Crime Prevention/SAFE teams regarding methods of crowd control.

h. the licensee agrees to install and maintain security cameras at the establishment.

i. the licensee agrees that on Friday and Saturday nights after 11:00 p.m., Banana Joe's will not allow buses or any "line jumping" for bachelor parties or other large groups.

j. the licensee will remove the darkened windows from the front of the establishment.

k. the licensee agrees to eliminate drink specials such as 25 cent and 75 cent drinks and that it will not reinstate any such drink specials in the future.

l. the licensee agrees to permanently post signs in its facility stating that it does not serve alcohol to minors, that it does not serve alcohol to obviously intoxicated persons, and that it will not tolerate any violent or disrespectful conduct. Said signs shall be visible and easily readable to all patrons of the establishment throughout the facility.

m. within seven days of the effective date of the TAC Agreement, the licensee agrees to place a sign in its window that states the following: "In running its operation, Banana Joe's has offended its neighbors and allegedly has run afoul of certain City ordinances. For this, Banana Joe's apologizes to Minneapolis, its Police Department and its neighbors." The licensee further agrees that this sign will remain in this location for a minimum of 14 consecutive days.

n. the licensee agrees that no same or similar violations will occur at the licensed premises for a period of four months from the effective date of the TAC Agreement.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, to whom was referred an ordinance amending Title 13, Chapter 287 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Filling Stations and Bulk Oil Plants*, updating language, removing the bond requirement, requiring that refuse be removed within 100 feet of the licensed premises, adjusting the license fee, and adding requirements for a sight line and Stage I vapor recovery system and that all oil or gasoline spills of five gallons or more be reported to the City's Environmental Management Division, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends summary publication of the above-described ordinance.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-160 amending Title 13, Chapter 287 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Filling Stations and Bulk Oil Plants*, is summarized as follows:

- a. adding a new Section 287.05 defining terms used in the chapter;
- b. amending Section 287.10 to create three license classifications based upon the number of simultaneous fueling stations;
- c. amending Section 287.30 to provide that applications be made to the director of licenses and consumer services;
- d. amending Section 287.40 to provide that licenses are subject to annual renewal;
- e. amending Section 287.50 setting license fees for the three license classifications;
- f. amending Section 287.80 deleting provisions requiring a surety bond and adding a requirement that licensees clear trash, refuse and debris from the licensed premises and public areas within 100 feet of the licensed premises;
- g. amending Section 287.90 deleting provisions relating to surety bonds and adding provisions that an attendant be able to directly view fueling stations;
- h. adding a new Section 287.100 containing reporting requirements for oil and gasoline spills;
- i. adding a new Section 287.110 requiring stage I vapor recovery systems for stations established after January 1, 2002; and
- j. adding a new Section 287.120 outlining criteria for denial suspension or revocation of licenses.

Said ordinance was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-160

By Biernat

Intro & 1st Reading: 11/9/2001

Ref to: PS&RS

2nd Reading: 12/28/2001

Amending Title 13, Chapter 287 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Filling Stations and Bulk Oil Plants.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 287 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 287.05 to read as follows:

287.05. Definitions. As used in this chapter, unless otherwise indicated, the following terms are defined as follows:

Bulk oil plant. A business engaged in the dispensing, handling or sale of gasoline, fuel oil or other flammable liquids in bulk quantities of thirty (30) gallons or more.

Director. The director of licenses and consumer services or their designee.

Gasoline filling station. A business engaged in the dispensing, handling or sale of gasoline or other fuels to the public.

Simultaneous fueling location. The location at which a fueling device delivers or dispenses fuel to a single vehicle.

Stage I vapor recovery. The control or management of hydrocarbons and volatile organic compound vapors and gases during the transfer of gasoline from the cargo tank to the gasoline filling station's gasoline storage tank.

Stage II vapor recovery. The control or management of hydrocarbon and volatile compound vapors and gases during the transfer of gasoline from the gasoline filling station's gasoline storage tank to the vehicle's gasoline tank.

Vapor recovery equipment for gasoline filling stations. All equipment that is part of the vapor recovery system used by a gasoline filling station to collect and manage gasoline vapors generated from refueling vehicle gasoline tanks, gasoline storage tanks and portable fuel containers including, but not limited to, dispensing equipment, couplers, fittings, processors, control boards, gauges, and monitors.

Vapor recovery system. A vapor gathering system capable of collecting and managing hydrocarbon and Volatile Organic Compound (VOC) vapors and gases so as to prevent the vapors and gases from being emitted into the ambient air or atmosphere. The system's tank gauging and sampling devices are gas-tight except when gauging or sampling is taking place. A vapor recovery system may include stage I or stage II vapor recovery.

Section 2. That Section 287.10 of the above-entitled ordinance be amended to read as follows:

287.10. License and permit required. No person, business, corporation or partnership shall engage in the business of keeping, maintaining, conducting or operating any gasoline filling station or any bulk oil plant in the city without having the license and permit required by this chapter. A Class I A license may be issued for gasoline filling stations having ~~ten (10)~~ four (4) or less pumps ~~fewer simultaneous fueling locations~~. A Class II B license may be issued for service stations with more than ~~ten (10)~~ five (5) pumps and may only be issued for such filling stations located in B-3 or less restrictive zoning districts and eight (8) or fewer simultaneous fueling locations. ~~For the purpose of this section a pump may have two (2) nozzles.~~ A Class C license may be issued for gasoline filling stations with nine (9) or more simultaneous fueling locations. The license must be permanently and conspicuously displayed. If a license is issued for more than one location or address, the license must be permanently and conspicuously displayed at each location or address.

Section 3. That Section 287.30 of the above-entitled ordinance be amended to read as follows:

287.30. Application for license. ~~Application for license shall be made to the city council in writing, and when granted by the council, such licenses shall be issued by the director of licenses and consumer services, upon payment of the license fee.~~ An application for a gasoline filling station or bulk oil plant shall be made upon a form furnished by the director of licenses and consumer services or their designee.

Section 4. That Section 287.40 of the above-entitled ordinance be amended to read as follows:

287.40. License expiration date. Licenses under this chapter shall expire on September first of each year subject to renewal from year to year thereafter.

Section 5. That Section 287.50 of the above-entitled ordinance be amended to read as follows:

287.50. License fees. ~~Annual license fee for gasoline filling stations shall be one hundred thirty-eight dollars (\$138.00) plus twenty dollars (\$20.00) for each pump or distribution service outlet after the first one~~ a Class A license shall be two hundred twenty five dollars (\$225.00). The annual license fee for a Class B license shall be three hundred fifty dollars (\$350.00). The annual license for a Class C license shall be four hundred seventy five dollars (\$475.00). The annual license fee for bulk oil plants containing gasoline, fuel oil or other flammable liquids shall be four hundred ~~six~~ seventy five dollars (\$406.00 475.00).

Section 6. That Section 287.80 of the above-entitled ordinance be amended to read as follows:

287.80. Prohibited on streets, sidewalks, public grounds, refuse, trash or debris. No such license shall be issued to any person for keeping, conducting, maintaining or operating any gasoline filling station or bulk oil plant on or under any sidewalk or any portion of any public street or highway or

public ground within the city. Provided, however, that nothing in this chapter shall prevent the issuance of such license by the city council to any person to keep, conduct, maintain or operate any such gasoline filling station or bulk oil plant which station actually existed and was operated on October 1, 1924. ~~Any such licensed filling station or bulk oil plant which actually existed and was operated on October 1, 1924, and is still operating shall furnish and deliver to the city a good surety company bond in the sum of five thousand dollars (\$5,000.00) to be approved as to form and execution by the city attorney and filed with the city clerk. Such bond shall contain a legal description of the premises on which the gasoline filling station or bulk oil plant is located, and shall be conditioned to save harmless and indemnify the city from any and all damages, actions and claims of any kind or character which may accrue to, or be suffered by any person by reason of the construction, existence, maintenance, erection or use of any tank, pump or equipment connected with such filling station or bulk oil plant and shall also be conditioned to pay the cost of the removal of such tank, pump or equipment if removed by the city and the cost of the restoration of the street or public place to a proper condition, upon the removal of such tank whenever the same may be and by whomsoever removed. All refuse must be removed from the licensed premises and on public areas within one hundred (100) feet of the licensed premises.~~

Section 7. That Section 287.90 of the above-entitled ordinance be and is hereby repealed.

287.90. Temporary permit for private use of public grounds. ~~The city council may grant a temporary permit to any person to keep and maintain for private use only a storage tank or tanks for gasoline or other petroleum products upon any public ground within the city limits where such public ground is not actually being used for public purposes, upon such terms and conditions as the city council may determine, including the furnishing of a surety bond in the amount of not less than ten thousand dollars (\$10,000.00) conditioned as provided in section 287.80.~~

Section 8. That Chapter 287 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 287.90 to read as follows:

287.90. Sight line required. When a gasoline filling station is operating with an attendant present, the attendant must be able to directly view simultaneous fueling locations at all times to prevent the improper dispensing of gasoline.

Section 9. That Chapter 287 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 287.100 to read as follows:

287.100. Oil or gasoline spills. Oil or gasoline spills of five (5) gallons or more must be reported to the environmental management division of the Minneapolis Department of Licenses and Consumer Services and to the State duty officer.

Section 10. That Chapter 287 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 287.110 to read as follows:

287.110. Stage I vapor recovery system required. All gasoline filling stations established after January 1, 2002, must install and use a stage I vapor recovery system.

Section 11. That Chapter 287 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 287.120 to read as follows:

287.120. Denial, suspension or revocation. A gasoline filling station or bulk oil plant license may be denied, suspended, revoked or renewal refused by the city council for any of the following reasons:

- (1) Violation of any federal, state or local law.
- (2) Violation of any provision of the building, zoning, fire or health codes of the city.
- (3) Failure to obtain permits required by the Minneapolis Fire Department.
- (4) Failure to comply with orders issued by the Minneapolis Department of Licenses and Consumer Services.

(5) For other good cause shown which renders the licensee or license applicant unfit to hold a filling station or bulk oil plant license.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, to whom was referred ordinances amending Title 9, Chapter 176 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection: Burglar and Holdup Alarm Systems*, now recommends that the following ordinances be given their second reading for amendment and passage:

- a. repealing Chapter 176 of Title 9; and
- b. adding a new Chapter 176 to add administrative penalties, reduce the number of "free" false alarms to three and provide for non-response to alarm activation for those alarm users who refuse to properly service their alarm system or refuse to pay administrative penalties.

Your Committee further recommends summary publication of the above-described ordinances.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-161 repealing Chapter 176 of Title 9 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection: Burglar and Holdup Alarm Systems*, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-161

By Biernat

Intro & 1st Reading: 11/9/2001

Ref to: PS&RS

2nd Reading: 12/28/2001

Repealing Chapter 176 of Title 9 of the Minneapolis Code of Ordinances relating to Fire and Police Protection: Burglar and Holdup Alarm Systems.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 176 of the Minneapolis Code of Ordinances be and is hereby repealed.

~~CHAPTER 176. BURGLAR AND HOLDUP ALARM SYSTEMS*~~

~~176.10. Definitions.~~ (a) ~~Alarm business means the business by any individual, partnership, corporation or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing any alarm system or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed, any alarm system in or on any building, structure or facility.~~

(b) ~~Alarm system means an assembly of equipment and devices, a single device such as a solid state unit which plugs directly into a one hundred ten-volt AC line or a group of such devices at a single location arranged to signal the presence of a hazard requiring urgent attention and to which police are expected to respond. Fire alarm systems and alarm systems which monitor temperature, humidity or any other condition not directly related to the detection of an unauthorized intrusion into a premises or an attempted robbery at a premises are specifically excluded from the provisions of this chapter.~~

(c) ~~Alarm user means the person, firm, partnership, association, corporation, company or organization of any kind on whose premises an alarm system is maintained. "Alarm user" shall include persons occupying both residential and commercial property.~~

(d) ~~Director means the director of the department of licenses and consumer services of the City of Minneapolis or the director's designated representative.~~

(e) ~~False alarm means the activation of an alarm system which does not result from a discernible unlawful entry or attempted entry into the premises. False alarms do not include conditions which are beyond the control of the alarm user such as utility line mishaps, tornadoes, thunderstorms or earthquakes.~~

(f) ~~Calendar year means the period January first through December thirty-first of each year.~~

176.20. Alarm users' permits required. (a) When an alarm user incurs five (5) false alarms at an address within a calendar year, the alarm user shall obtain an alarm user's permit for the system at that address from the director. The Minneapolis police department shall file a written report of each false alarm with the director. Upon receipt of the first and fourth false alarm report at an address, the director shall, by mail, attempt to notify the alarm user of the provisions of this chapter. Upon receipt of a fifth false alarm report at an address, the director shall notify the alarm user by certified mail that an alarm user's permit must be obtained. Within ten (10) days after receipt of the notice that a permit must be obtained, an application for an alarm user's permit and a sixty-five-dollar (\$65.00) fee, which shall not be prorated regardless of other provisions of this Code, shall be filed with the director. Each permit shall expire December thirty-first of each year. The permit shall be physically upon the premises using the alarm system and shall be available for inspection by the director.

(b) A revoked user's permit shall be obtained from the director of licenses and consumer services by filing an application and paying a fee as follows:

First revoked user's permit in the calendar year . . .	\$ 98.00
Second revoked user's permit in the calendar year . . .	131.00
Third and each additional revoked user's permit in the calendar year . . .	262.00

Each revoked user's permit shall expire on December thirty-first of each year. The permit shall be physically upon the premises using the alarm system and shall be available for inspection by the director.

(c) An alarm user which is a governmental political unit shall be subject to this chapter; but a permit shall be issued without payment of a fee and shall not be subject to revocation, payment of additional fees or the imposition of any penalty provided herein.

176.30. Determination of the occurrence of a false alarm. When the police have determined that a false alarm has occurred at an address, the alarm user at that address may submit a written report to the director to explain the cause of the alarm activation. If the director determines that the alarm was caused by conditions beyond the control of the alarm user, the alarm will not be counted as a false alarm at that address.

176.40. Alarm user instructions. (a) If an alarm business sells, leases or installs an alarm system located in the city to an alarm user after the effective date of this chapter [January 1, 1981], then the alarm business shall furnish the alarm user with instructions that provide information to enable the alarm user to operate the alarm system properly and to obtain service for the alarm system.

(b) Unless identical alarm user instructions have been previously submitted to the director for a similar alarm system, the alarm business shall provide the director with one copy of the alarm user instructions required by subsection 176.40(a) within sixty (60) days of when the alarm system is sold, leased or installed. In addition, the director may request an alarm business to submit user instructions for any alarm system sold, leased, or installed prior to the effective date of this chapter. If the director finds such instructions incomplete, unclear or inadequate, the director may require the alarm business to revise the user instructions and distribute the new instructions to its alarm users.

176.50. False alarms; permit revocations. Any alarm system which has six (6) or more false alarms within a calendar year shall be subject to permit revocation as provided herein.

(a) Upon the sixth false alarm within a calendar year for any alarm system, the director shall notify the alarm user by mail of such fact and direct the alarm user to submit a report to the director within ten (10) days of receipt of the notice describing actions taken or to be taken to discover and eliminate the cause of the false alarms.

(b) Upon the sixth or subsequent false alarm within a calendar year for any alarm system, the director shall send a notice of revocation to the alarm user as provided in subsection (c).

(c) Notice of revocation shall be sent to the alarm user by mail. The notice shall state the reason for the revocation and shall state that the alarm user's permit will be revoked without further notice on the tenth day after the day of receipt of the notice, unless the alarm user files within that time a request for hearing. If no hearing is requested within the time set forth herein, revocation of the alarm user's permit shall become effective without further action.

(d) If a hearing is requested, written notice of the time and place of the hearing shall be sent to the alarm user by the director at least ten (10) days prior to the date set for the hearing.

(e) ~~The hearing shall be before the director, and the alarm user shall have the right to present evidence and to be represented by counsel. Upon a finding that an alarm user has incurred six (6) or more false alarms in a calendar year, the director may rule that the alarm user's permit be revoked. The alarm user shall have the right to appeal the director's revocation to the licenses and consumer services committee of the city council.~~

(f) ~~An alarm user shall immediately discontinue use of the alarm system upon being notified by mail of the revocation of a permit, except that an alarm user shall not be required to discontinue use of the alarm system during an appeal. However, an alarm user required by federal or state statute, regulation or rule to install, maintain and operate an alarm system shall not be required to discontinue use of its alarm system, but will instead be automatically assessed the applicable fee for a revoked user's permit.~~

(g) ~~An alarm user whose permit has been revoked may apply for a revoked user's permit as provided in subsection 176.20(b). The director shall issue a revoked user's permit, but may impose reasonable restrictions and conditions upon the user, which restrictions and conditions shall be written on the permit and shall provide for revocation on the occurrence of each false alarm over five (5) in the calendar year.~~

176.60. Confidentiality of statistics. ~~All information submitted in compliance with this chapter shall be held in the strictest confidence and shall be deemed nonpublic data and security information exempt from disclosure pursuant to state statute. Any violation of confidentiality should be deemed a violation of this chapter.~~

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-162 amending Title 9 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection* by adding a new Chapter 176 relating to *Burglar and Holdup Alarm Systems*, provides for the following:

a. Section 176.10 sets forth definitions.

b. Section 176.20 lists alarm user duties, which include maintenance of the premises and alarm system, the provision of instruction on the operation of the system, maintenance of a current key-holder list with the alarm company, notification of the alarm company of a false alarm activation, and the provision to the director of specific information upon the occurrence of the system's third false alarm.

c. Section 176.30 lists alarm company duties, which include the provision of specific information to each of its alarm users, the maintenance of a record regarding alarm users and properties, and a required training period for the alarm user. Provides that a violation of the duties will be subject to a civil penalty of \$100.00 for each separate violation.

d. Section 176.40 provides a schedule of monetary penalties for alarm users for false alarms in excess of three per calendar year. Further provides that an alarm company shall pay \$100.00 for each false alarm where the responding police officer determines that it was caused by the on-site actions of an employee of the company.

e. Section 176.50 provides for the suspension of police response upon the occurrence of the seventh false alarm within a calendar year, or where the alarm user is more than 120 days overdue in their payment of alarm penalties, unless there is an in-person call for assistance or other independent information that verifies the need for immediate police response. Further provides for departmental, administrative, and judicial appeals of a notice to suspend prior to suspension of response.

f. Section 176.60 provides that alarm user and system may be declared a nuisance upon the the generation of more than four false alarms in a calendar year or when the user is more than 120 days overdue in payment of alarm penalties.

g. Section 176.70 provides for confidentiality of information submitted in compliance with chapter.

h. Section 176.80 provides an effective date of February 1, 2002.

Said ordinance was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-162
By Biernat
Intro & 1st Reading: 11/9/2001
Ref to: PS&RS
2nd Reading: 12/28/2001

Amending Title 9 of the Minneapolis Code of Ordinances relating to Fire and Police Protection by adding a new Chapter 176 relating to Burglar and Holdup Alarm Systems.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 176 to read as follows:

CHAPTER 176. BURGLAR AND HOLDUP ALARM SYSTEMS

176.10. Definitions. The following terms when used in this chapter shall have the following meanings, respectively:

Alarm company. The business by any individual, partnership, corporation, or other entity of selling, leasing, maintaining, monitoring, servicing, repairing, altering, replacing, moving, or installing any alarm system or causing to be sold, leased, maintained, monitored, serviced, repaired, altered, replaced, moved, or installed, any alarm system in or on any building, structure, or facility.

Alarm site. A single, fixed premise, building, structure, facility or location served by an alarm system. Each tenant's space within a multi-tenant building or complex, if served by a separate alarm system, shall be considered a separate alarm site.

Alarm system. Any instrument(s) or other device(s) which, as one of its purposes, is used to protect buildings, premises, or persons from criminal acts or unauthorized entries by warning persons of a crime or unauthorized entry through the emission or transmission of a sound or signal.

Alarm user. The person, employee, firm, partnership, association, corporation, company, or organization of any kind which uses or is in control of an alarm system at an alarm site, regardless of whether it owns or leases the system.

Calendar year. The period January first through December thirty-first of each year.

Department. The licenses and consumer services division of the department of regulatory services of the City of Minneapolis.

Director. The director of the licenses and consumer services division of the department of regulatory services of the City of Minneapolis, or his or her designee.

False alarm. Any activation of an alarm not caused by or as a result of a criminal act, an unauthorized entry, or an act of nature.

MECC. The Minneapolis Emergency Communications Center. The public safety communication center for all emergency police, fire, and ambulance services for the City of Minneapolis.

176.20. Alarm user duties. The duties of the alarm user shall be as follows:

- (1) Maintain the premises and alarm system in a manner that will minimize or eliminate false alarms, including but not limited to having their alarm system inspected by a properly licensed alarm company technician at least once every two (2) years.
- (2) Instruct all persons with access to the alarm system in the appropriate method of operation, codes, and premises securement as required for the proper use of the system.
- (3) Maintain a current key-holder list with the alarm user's company.
- (4) Notify the alarm company of a false alarm activation as soon as the user is aware of the false alarm.
- (5) Not manually activate an alarm except when in need of an immediate dispatch of law enforcement personnel to an emergency situation.
- (6) Provide to the director, upon the occurrence of the system's third (3rd) false alarm and, thereafter, on an ongoing basis, the following information:

- (1) The names and addresses of the alarm users, alarm owners (if different than the alarm user) and the alarm company.
- (2) The type of alarm system being used.
- (3) The person designated by the alarm user as its contact person for purposes of alarm-related matters.
- (4) The person or entity designated to pay the alarm user penalties.
- (5) Any additions or changes to the above information.
- (7) Failure to provide this information will be considered relevant in any decision to suspend police response to alarm dispatch requests in accordance with section 176.50.

176.30. Alarm company duties. The duties of the alarm company shall be as follows:

- (1) Not install any burglary control panel failing to meet security industry association standards with false alarm prevention features programmed to the factory default.
- (2) Provide each of its alarm users with the following:
 - a. Operating instructions for their alarm system, including an explanation of the company's alarm verification process.
 - b. A telephone number to call for assistance in operating the system.
 - c. A copy of the provisions of chapter 176 relating to penalties for false alarms and the possibility of no police response to alarm systems experiencing an excessive number of false alarms.
- (3) Complete an alarm verification process for all alarm signals prior to requesting a response by the police department.
- (4) Maintain a current record, accessible to the director at all times, that includes the following:
 - a. Names of alarm users serviced by the company.
 - b. Addresses of the protected properties.
 - c. Type of alarm system.
 - d. Original installation date and subsequent modifications, if any, for each protected property.
 - e. A record of the date and time of alarm dispatch requests to each protected property.
 - f. A record of the alarms at each property with evidence of the company's attempt to verify the alarm.
- (5) Work cooperatively with the alarm user and director to determine the cause of any false alarm and to prevent recurrences.
- (6) Establish a training period during the first seven (7) days following the installation of any alarm system, during which the alarm user will be trained on the proper use of the system and no police dispatches will occur unless determined necessary by the director or the police department.
- (7) Violation of any of these duties will be subject to a civil penalty of one hundred dollars (\$100.00) for each separate violation. Each day of non-compliance shall constitute a separate offense.

176.40. False alarms; penalties. (a) The alarm user shall pay a penalty to the city for each false alarm in excess of three (3) per calendar year. The penalty shall be:

- | | |
|-----------------------|----------|
| (1) Fourth alarm fee | \$100.00 |
| (2) Fifth alarm fee | \$150.00 |
| (3) Sixth alarm fee | \$200.00 |
| (4) Seventh alarm fee | \$250.00 |

The fee shall increase by the sum of fifty dollars (\$50.00) for each succeeding false alarm thereafter.

(b) A penalty of one hundred dollars (\$100.00) shall be paid by the alarm company to the city for each false alarm where the responding police officer determines that it was caused by the on-site actions of an employee of the alarm company.

176.50. Suspension of police response. (a) *Notice.* Upon the occurrence of the seventh (7th) false alarm within a calendar year, or where the alarm user is more than one hundred twenty (120) days overdue in their payment of alarm penalties, the director shall serve, in person or by U.S. mail, the alarm user's designated contact person with written notification that effective fourteen (14) days from the date of the notice, the Minneapolis Police Department will not respond to alarm dispatch requests from that site for the remainder of the calendar year unless there is an in-person call for assistance from someone at or near the premises or other independent information that verifies the need for immediate police response.

(b) *Written appeal of suspension notice.* Within seven (7) days from the date of the suspension notice, the alarm user may file with the director a written appeal of the proposed suspension of police response explaining the steps taken to correct the problem, any facts pertaining to the overdue payment of fines, the facts and circumstances of the false alarms from this alarm site and any other information relevant to the director's proposed suspension of police response. Within five (5) days of the director's receipt of the written appeal and after review of the files for the alarm site, alarm user, and alarm company, attendance in a certified false alarm prevention course, and all the submissions of the alarm user, the director shall issue a decision to confirm, suspend, or rescind the suspension notice and serve a written copy thereof on the alarm user's contact person by mail.

(c) *Appeal of director's decision.* Within seven (7) days of the date of the letter informing the alarm user of the director's decision, the alarm user or alarm company may file a written appeal with the department. The appeal shall be conducted before a hearing officer in accordance with the administrative enforcement and hearing process of Title 1, Chapter 2.

(d) *Suspension of police response.* Upon the exhaustion of any departmental, administrative, and judicial appeal of a notice to suspend, the Minneapolis Police Department, in determining whether to make an immediate police response to notification of a signal from that alarm user's alarm system, may disregard that alarm dispatch request when the alarm signal is the only basis for making the dispatch request in accordance with section 176.50(a). Where there is, in addition to the alarm dispatch request, an in-person call, verification from a person at or near the premises or other independent evidence shows a need for police dispatch to the alarm site, police may consider the suspension of police response as an additional factor in the decision to order an immediate police response.

176.60. Nuisance. (a) When an alarm user generates more than four (4) false alarms within a calendar year, the alarm user and alarm system may be declared a nuisance.

(b) When an alarm user is more than one hundred twenty (120) days overdue in their payment of alarm penalties, the alarm user may be declared a nuisance.

176.70. Confidentiality of statistics. All information submitted in compliance with this chapter shall be held in the strictest confidence and shall be deemed nonpublic data and security information exempt from disclosure pursuant to state statute. Any violation of confidentiality should be deemed a violation of this chapter.

176.80. Implementation. This ordinance shall be effective February 1, 2002.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, to whom was referred an ordinance amending Title 13, Chapter 261 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: License Fees Generally* by repealing Section 261.50 entitled "*Transfer Fee*", now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends summary publication of the above-described ordinance.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-163 amending Title 13, Chapter 261 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: License Fees Generally*, repealing Section 261.50 entitled "*Transfer Fee*", was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-163
By Biernat
Intro & 1st Reading: 12/14/2001
Ref to: PS&RS
2nd Reading: 12/28/2001

Amending Title 13, Chapter 261 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: License Fees Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 261.50 of the Minneapolis Code of Ordinances be and is hereby repealed.

~~**261.50. Transfer fee.** (a) Notwithstanding the provisions of any other ordinance wherein a transfer fee is fixed at a lesser amount than hereinafter provided, upon an application to transfer a license issued by the city from person to person or place to place, the applicant shall pay a fee of twenty-six dollars (\$26.00).~~

~~(b) Where any particular ordinance provides for the transfer of a license and fixes a fee for such transfer in excess of the amount specified herein, the amount specified in the particular ordinance regulating such transfer shall prevail.~~

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, to whom was referred an ordinance amending Title 4, Chapter 64 of the Minneapolis Code of Ordinances relating to *Animals and Fowl: Dogs and Cats*, increases the annual license fee by \$5 for spayed and neutered animals and by \$10 for unspayed or unneutered animals, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends summary publication of the above-described ordinance.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-164 amending Title 4, Chapter 64 of the Minneapolis Code of Ordinances relating to *Animals and Fowl: Dogs and Cats*, amending Section 64.30 to increase the license fee by \$5 for spayed and neutered animals and by \$10 for unspayed or unneutered animals was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-164
By Biernat
Intro & 1st Reading: 12/14/2001
Ref to: PS&RS
2nd Reading: 12/28/2001

Amending Title 4, Chapter 64 of the Minneapolis Code of Ordinances relating to Animals and Fowl: Dogs and Cats.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 64.30 of the above-entitled ordinance be amended to read as follows:

64.30. License application and fee. Every person required to obtain a dog license under this chapter shall make application to the department of licenses and consumer services for a dog license which shall expire on January thirty-first next after the issuance. The annual fee for such a license shall be ~~twenty thirty~~ thirty dollars (~~\$20.00~~ \$30.00) for unspayed or unneutered dogs, and ~~ten fifteen~~ fifteen dollars (~~\$10.00~~ \$15.00) for spayed or neutered dogs or puppies under eight (8) months of age. Every person required to obtain a cat license under this chapter shall make application to the department of licenses and consumer services for a cat license which shall expire on January thirty-first next after the issuance. The annual fee for such a license shall be ~~twenty thirty~~ thirty dollars (~~\$20.00~~ \$30.00) for unspayed or unneutered cats, and ~~ten fifteen~~ fifteen dollars (~~\$10.00~~ \$15.00) for spayed or neutered cats or kittens under eight (8) months of age. As a condition for the issuance of a dog or cat license, the applicant shall certify that the dog or cat has been vaccinated against rabies in conformance with the requirements of this Code. The department of licenses and consumer services shall provide each dog and cat licensed hereunder with a metallic tag upon which shall be stamped or engraved the register number of the dog or cat and the year registered. The design of such metallic tags shall be changed each year. Dogs in training with or trained by a recognized program with an established curriculum for training dogs for service to persons with disabilities, and dogs and cats awaiting adoption in foster homes under a recognized pet adoption program, shall be exempt from the license fees in this section. To qualify for an exemption, such programs shall be approved by the director of licenses and consumer services. The department of licenses and consumer services may contract with approved veterinary clinics to receive dog and cat license applications and to remit the application and fee to the department. The department may further contract to pay the veterinary clinics processing the applications two dollars (\$2.00) per license to cover administrative expense.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the property located at 2015 Golden Valley Road which has been deemed by the Director of Inspections to create a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, and having received Findings of Fact, Conclusions and a Recommendation that rehabilitation of the property is feasible, now recommends that the owner be authorized to rehabilitate the property, legally described as Lot 4, Block 1, Menard's First Addition to Minneapolis (PID #16-029-24-32-0005), with the code compliance to be completed in seven months, in accordance with said Findings on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee, to whom was referred ordinances amending Title 11, Title 13, and Title 14 of the Minneapolis Code of Ordinances adjusting fees to reflect increases in the general license categories, now recommends that the following ordinances be given their second reading for amendment and passage:

a. Title 11, Chapter 232 relating to *Health and Sanitation: Suntanning Facilities*;

b. Title 13, Chapter 265 relating to *Licenses and Business Regulations: Special Permits for Specific Businesses and Uses* (Car Washes and Sidewalk Cafes);

- c. Title 13, Chapter 267 relating to *Licenses and Business Regulations: Amusements* (Skating Rinks and Pool & Billiard Halls);
 - d. Title 13, Chapter 269 relating to *Licenses and Business Regulations: Asphalt Shingle and Roofing Material Manufacture*;
 - e. Title 13, Chapter 272 relating to *Licenses and Business Regulations: Resin Manufacturing*;
 - f. Title 13, Chapter 301 relating to *Licenses and Business Regulations: Laundries and Dry Cleaning Establishments*;
 - g. Title 13, Chapter 307 relating to *Licenses and Business Regulations: Valet Parking*;
 - h. Title 13, Chapter 343 relating to *Licenses and Business Regulations: Transient Merchants*;
 - i. Title 13, Chapter 347 relating to *Licenses and Business Regulations: Tree Servicing*;
 - j. Title 13, Chapter 348 relating to *Licenses and Business Regulations: Used Motor Vehicle Parts Dealer*;
 - k. Title 14, Chapter 360 relating to *Liquor and Beer: In General* (All Night Special Food and All Night Special Bowling, Pool & Billiard).
- Your Committee further recommends summary publication of the above-described ordinances.
Adopted. Yeas, 13; Nays none.
Passed December 28, 2001.
Approved December 31, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-165 amending Title 11, Chapter 232 of the Minneapolis Code of Ordinances relating to *Health and Sanitation: Suntanning Facilities*, amending Sections 232.20 and 232.30 to increase the license fee for suntanning facilities, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-165
By Biernat
Intro & 1st Reading: 11/9/2001
Ref to: PS&RS
2nd Reading: 12/28/2001

Amending Title 11, Chapter 232 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Suntanning Facilities.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 232.20 (b) of the above-entitled ordinance be amended to read as follows:

232.20. License required.

(b) *Fees:* A license fee shall be submitted with the application to the department in the amount of ~~fifty-seven dollars (\$57.00)~~ one hundred fourteen dollars (\$114.00).

Section 2. That Section 232.30 (a) (1) of the above-entitled ordinance be amended to read as follows:

232.30. License renewal procedures. (a) *Expiration and renewal.*

- (1) All licenses issued by the department pursuant to this chapter shall expire annually on October first and may be renewed by submission to the department at least thirty (30) days prior to the expiration date with a license renewal application and the annual renewal fee of ~~fifty dollars (\$50.00)~~ one hundred fourteen dollars (\$114.00).

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-166 amending Title 13, Chapter 265 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Special Permits for Specific Businesses and Users*, amending Sections 265.250 and 265.330 to increase the license fees for car washes and sidewalk cafes, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-166
By Biernat
Intro & 1st Reading: 11/9/2001
Ref to: PS&RS
2nd Reading: 12/28/2001

Amending Title 13, Chapter 265 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Special Permits for Specific Businesses and Uses.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 265.250 of the above-entitled ordinance be amended to read as follows:

265.250. Licenses. No person, copartnership or corporation shall operate a car wash without first obtaining a license for such operation pursuant to application made in the form prescribed by the department of licenses and consumer services. In order to be eligible for such a license for an existing car-wash establishment the applicant must comply with the standards and rules established by the city engineer. The license of any licensee may be revoked for failure to comply with such standards and rules. The annual license fee shall be ~~one hundred thirty-one dollars (\$131.00)~~ two hundred dollars (\$200.00) and the license shall expire on the first day of September.

Section 2. That Section 265.330 (a) of the above-entitled ordinance be amended to read as follows:

265.330. Permit fees. (a) Each year at the time of filing the application for such a permit, the applicant shall pay to the city finance officer the sum of two hundred seventy-six dollars (\$276.00) for those establishments having thirty (30) seats or fewer and four hundred dollars (\$400.00) for those with more than thirty (30) seats. In addition to the fee specified above, an additional sixty-five-dollar (\$65.00) fee shall be paid by an applicant:

- (1) Upon initial application for the permit specified in this section; and
- (2) Upon application for the permit specified in this section after failing to renew the permit within one year of the expiration date of the previously held permit. The sixty-five-dollar (\$65.00) fee shall not be refunded whether or not the permit sought is granted.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-167 amending Title 13, Chapter 267 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Amusements*, amending Sections 267.30 and 267.1230 to increase the license fees for skating rinks and pool tables, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this ordinance

is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-167
By Biernat
Intro & 1st Reading: 11/9/2001
Ref to: PS&RS
2nd Reading: 12/28/2001

Amending Title 13, Chapter 267 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Amusements.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 267.30 of the above-entitled ordinance be amended to read as follows:

267.30. Skating rinks. The annual license fee for a skating rink, ice or roller, shall be ~~one hundred seventy-seven dollars (\$177.00)~~ two hundred fifty dollars (\$250.00). Such license shall expire October first of each year.

Section 2. That Section 267.1230 of the above-entitled ordinance be amended to read as follows:

267.1230. License fee. The annual license fee shall be ~~one hundred five dollars (\$105.00)~~ two hundred five dollars (\$205.00) for the first table and twenty-six dollars (\$26.00) for each additional table.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-168 amending Title 13, Chapter 269 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Asphalt Shingle and Roofing Materials Manufacture*, amending Section 269.30 to increase the license fee for asphalt shingles and roof manufacturer, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-168
By Biernat
Intro & 1st Reading: 11/9/2001
Ref to: PS&RS
2nd Reading: 12/28/2001

Amending Title 13, Chapter 269 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Asphalt Shingle and Roofing Material Manufacture.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 269.30 of the above-entitled ordinance be amended to read as follows:

269.30. License fee. The annual fee for each such license shall be ~~two hundred four dollars (\$204.00)~~ one thousand (\$1,000.00) and shall be paid into the city treasury before the issuance of the license. In case any such license be applied for and issued subsequent to the first day of December of any license year, the license fee to be paid therefor shall be ~~such pro rata part of two hundred four dollars (\$204.00) as shall correspond to the fractional portion of the license year for which the license is issued~~ prorated quarterly.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-169 amending Title 13, Chapter 272 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Resin Manufacturing*, amending Section 272.50 to increase the license fee for resin manufacturer, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-169
By Biernat
Intro & 1st Reading: 11/9/2001
Ref to: PS&RS
2nd Reading: 12/28/2001

Amending Title 13, Chapter 272 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Resin Manufacturing.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 272.50 of the above-entitled ordinance be amended to read as follows:

272.50. License fee. The annual license fee shall be ~~one hundred seventy-seven dollars (\$177.00)~~ two thousand dollars (\$2,000.00) to be prorated quarterly.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-170 amending Title 13, Chapter 301 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Laundries and Dry Cleaning Establishments*, amending Sections 301.50 and 301.150 to increase the license fees for dry cleaners and laundry and dry cleaning - coin operated, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-170
By Biernat
Intro & 1st Reading: 11/9/2001
Ref to: PS&RS
2nd Reading: 12/28/2001

Amending Title 13, Chapter 301 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Laundries and Dry Cleaning Establishments.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 301.50 of the above-entitled ordinance be amended to read as follows:

301.50. License fees. The annual license fees shall be ~~two hundred four dollars (\$204.00)~~ two hundred fifty dollars (\$250.00) for each laundry or nonflammable dry cleaning establishment and ~~two hundred eighty-seven dollars (\$287.00)~~ three hundred fifty dollars (\$350.00) for each flammable dry cleaning establishment and one hundred five dollars (\$105.00) for each pickup station. A laundry and dry cleaning establishment may be operated on the same premises under one license, and any laundry or dry cleaning establishment may operate as a pickup station on the licensed premises without any

additional license.

Section 2. That Section 301.150 of the above-entitled ordinance be amended to read as follows:

301.150. License required; fee; expiration. No person shall install, maintain or operate any dry cleaning machine or plant in the city without having first obtained a license to do so. The fee for such license is ~~two hundred four dollars (\$204.00)~~ two hundred fifty dollars (\$250.00) for each plant and twenty-six dollars (\$26.00) for each machine more than one installed in said plant. Such license shall expire on January first next succeeding issuance thereof.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-171 amending Title 13, Chapter 307 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Valet Parking*, amending Section 307.40 to increase the license fee for valet parking, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-171

By Biernat

Intro & 1st Reading: 11/9/2001

Ref to: PS&RS

2nd Reading: 12/28/2001

Amending Title 13, Chapter 307 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Valet Parking.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 307.40 of the above-entitled ordinance be amended to read as follows:

307.40. License fee. The annual license fee for a valet parking license shall be ~~one hundred dollars (\$100.00)~~ five hundred dollars (\$500.00) for one (1) authorized valet loading zone. The annual license fee for each additional authorized valet loading zone shall be ~~ten dollars (\$10.00)~~ one hundred dollars (\$100.00). License fees ~~shall be waived~~ for any business holding a license issued by the city, which operates a valet parking service, using its own employees, at its own location shall be one hundred (\$100.00). This fee is in addition to, and not instead of, valet zone permit fees and associated fees required by the department of public works.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-172 amending Title 13, Chapter 343 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Transient Merchants*, amending Section 343.50 to increase the license fee for transient merchant, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-172

By Biernat

Intro & 1st Reading: 11/9/2001

Ref to: PS&RS

2nd Reading: 12/28/2001

Amending Title 13, Chapter 343 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Transient Merchants.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 343.50 of the above-entitled ordinance be amended to read as follows:

343.50. License fee; expiration. The annual license fee shall be ~~one hundred thirty-eight dollars (\$138.00)~~ two hundred dollars (\$200.00) to be paid when the application is filed. All licenses shall expire on May first of each year subject to renewal year to year thereafter. If a person or organization or association desires to carry on the business of transient merchant under this chapter at more than one location at the same time, then the license fee for each additional location shall be ~~thirty-nine dollars (\$39.00)~~ seventy-five dollars (\$75.00). There shall be a sixty-five ~~nine~~ dollar (\$65.00) surcharge for each application by an applicant not licensed under this chapter for the year preceding the application. The surcharge shall not be refunded whether or not the license is granted.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-173 amending Title 13, Chapter 347 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Tree Servicing*, amending Section 347.70 to increase the license fee for tree servicing, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-173

By Biernat

Intro & 1st Reading: 11/9/2001

Ref to: PS&RS

2nd Reading: 12/28/2001

Amending Title 13, Chapter 347 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Tree Servicing.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 347.70 of the above-entitled ordinance be amended to read as follows:

347.70. License fee. The annual license fee shall be ~~fifty-nine dollars (\$59.00)~~ seventy-five dollars (\$75.00). {The fee for each additional vehicle shall be ~~eight dollars (\$8.00)~~ twenty-five dollars (\$25.00).}

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-174 amending Title 13, Chapter 348 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Used Motor Vehicle Parts Dealer*, amending Section 348.30 to increase the license fee for motor vehicle used parts dealer and additional lot, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete

copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-174
By Biernat
Intro & 1st Reading: 11/9/2001
Ref to: PS&RS
2nd Reading: 12/28/2001

Amending Title 13, Chapter 348 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Used Motor Vehicle Parts Dealer.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 348.30 of the above-entitled ordinance be amended to read as follows:

348.30. License fee. The annual license fee for a used motor vehicle parts dealer's license shall be ~~one hundred thirty-eight dollars (\$138.00)~~ five hundred dollars (\$500.00) for one location. ~~The annual license fee for each additional location shall be forty-six dollars (\$46.00).~~ The fee for those establishments already licensed as a recycling/salvage yard under chapter 350 of this Code, but also needing this license, shall be one-half of the fee stated above.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-175 amending Title 14, Chapter 360 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: In General*, amending Sections 360.70 and 360.80 to increase the license fees for all night special food and all night special bowling, pool & billiard, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-175
By Biernat
Intro & 1st Reading: 11/9/2001
Ref to: PS&RS
2nd Reading: 12/28/2001

Amending Title 14, Chapter 360 of the Minneapolis Code of Ordinances relating to Liquor and Beer: In General.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 360.70 (a) of the above-entitled ordinance be amended to read as follows:

360.70. Special late hours food license. (a) Any person operating under an on-sale liquor, wine or beer license who desires to remain open for the service of food later than the hours provided in section 364.100 and section 368.70 may apply to the city council for a special late hours food license. Application shall be made on a form provided by the division of licenses and consumer services, containing such information as the division deems necessary to verify that the conditions of this section have been met and to make a recommendation regarding the application. The annual fee for a special late hours food license shall be ~~fifty-five dollars (\$55.00)~~ seventy-five dollars (\$75.00).

Section 2. That Section 360.80 (a) of the above-entitled ordinance be amended to read as follows:

360.80. Special all-night bowling, pool or billiards permit. (a) Any person operating under an "on sale" license for the sale of beer or liquor who desires to remain open twenty-four (24) hours each day for the operation of the game of bowling, pool and billiards, may apply to the city council for a special

bowling, pool and billiards permit in the manner provided for the making of application for a regular bowling, pool and billiards license. The annual license fee for such special bowling, pool and billiards permit shall be ~~twenty-six dollars (\$26.00)~~ seventy-five dollars (\$75.00), which shall be in addition to the fee for a regular bowling, pool and billiards license. The city council may grant or deny any such application and, if granted, the permit may be revoked for cause by the city council after due notice to the licensee and a hearing, and shall be revoked for any of the causes requiring revocation of licenses for the "on sale" of beer or liquor. No special bowling, pool and billiards permit shall be issued to anyone who is not the owner of a regular bowling, pool and billiards license. All persons holding special bowling, pool and billiards permits may keep their places of business open continuously twenty-four (24) hours each day for twelve (12) months in a year for the purpose of permitting the public to play the game of bowling, pool and billiards upon the premises covered by the special bowling, pool and billiards permit.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee, having under consideration the Police Department's participation in the operation of the Midwest Automated Fingerprint Information System Network (MAFIN), now recommends that the proper City Officers be authorized to execute a Joint Powers Agreement with the Minnesota Bureau of Criminal Apprehension (BCA) to continue the work of identifying fingerprint evidence from crime scenes and to clarify responsibilities of the members and Minneapolis' share of the operating expense for the system, as set forth in Petn No 267556 on file in the Office of the City Clerk.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to accept an "Operation Nightcap" grant award of \$6,000 and execute a grant agreement with the Minnesota Department of Public Safety, State Patrol Division for a Driving While Intoxicated Saturation Program during the period October 1, 2001 through September 30, 2002 whereby grant funds will be used to reimburse overtime costs to Second Precinct officers for increased traffic enforcement targeting impaired drivers, juvenile and young adult violators, speed violations and other enforcement to reduce accidents and increase driver safety.

Your Committee further recommends passage of the accompanying Resolution appropriating \$6,000 to the Police Department Agency to reflect receipt of said grant funds.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-553

By Biernat and Campbell

Amending The 2001 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-P200) by \$6,000 and increasing the Revenue Source (030-400-P200 – Source 3210) by \$6,000.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to accept a grant award of \$182,185 and execute a grant agreement with the Minnesota Department of Public Safety, Office of Drug Policy and Violence Prevention to fund *El Proyecto*, a partnership between the Fifth Precinct and the Latino community to reduce and prevent crime through community policing methods and to create a safe and harmonious Latino environment in the Whittier area.

Your Committee further recommends passage of the accompanying Resolution appropriating \$182,185 to the Police Department Agency to reflect receipt of said grant funds.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-554
By Biernat and Campbell

Amending The 2002 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-P500) by \$182,185 and increasing the Revenue Source (030-400-P500 – Source 3210) by \$182,185.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee, having under consideration the Youth Access to Alcohol Grant, now recommends passage of the accompanying Resolution transferring \$4,680 from the Police Department Agency to the Health & Family Support Agency to allow the Department of Health & Family Support to conduct the education portion of the grant.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-555
By Biernat and Campbell

Amending The 2001 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended as follows:

a. by decreasing the appropriation for the Police Department Agency in the Grants – Federal Fund (030-400-C201) by \$4,680; and

b. by increasing the appropriation for the Health & Family Support Agency in the Grants – Federal Fund (030-860-8615) by \$4,680.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to accept an Auto Theft Prevention Program grant award of \$370,436 and execute a grant agreement with the Minnesota Department of Public Safety to provide funds to expand the existing Auto Theft Prevention Program for prosecuting auto thieves, and to disseminate information on the Police Department's "bait vehicles" and general information about auto theft prevention to deter auto theft crimes.

Your Committee further recommends passage of the accompany Resolution appropriating \$370,436 to the Police Department Agency to reflect receipt of said grant funds.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-556
By Biernat and Campbell

Amending The 2001 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants – Other Fund (060-400-C007) by \$370,436 and increasing the Revenue Source (060-400-C007 – Source 3215) by \$370,436.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **ZONING & PLANNING** Committees submitted the following report:

PS&RS & Z&P – Your Committee, having under consideration the Site Plan Review Permit SP-260 to allow a minor automobile repair business at 328 South Cedar Lake Road, on file in the Zoning Office, and having under consideration the Motor Vehicle Repair Garage, Gas Station, Tobacco and Grocery Licenses held by Bryn Mawr Tire and Bait Center, and having held hearings to determine whether the terms of said permit have been violated and whether the licensee has met the requirements of Minneapolis Code of Ordinances, Chapter 259 relating to *Licenses and Business Regulations: In General* and Chapter 317 relating to *Licenses and Business Regulations: Motor Vehicle Repair Garages*, now recommends that SP-260 and the business licenses be revoked.

Biernat moved that the report be postponed. Seconded.

Adopted upon a voice vote.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW - Your Committee, having under consideration the City's year 2001 contract with Hennepin County for Sentence to Serve crews for litter pickup through the Solid Waste and Recycling Division and having been informed that the contract was not authorized to cover services for the entire year as is required, now recommends that the proper City officers be authorized to amend said Contract #017327 by increasing the contract to a not to exceed amount of \$128,000 and changing the contract start date to January 1, 2001. Funds for the contract amendment are available within the existing budget.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends that the proper City officers be authorized to execute the City's year 2002 contract with Hennepin County for Sentence to Serve crews for litter pickup through the Solid Waste and Recycling Division, providing for the services of two crews for year 2002 at a cost not to exceed \$108,000, payable from the Public Works - Solid Waste Agency (7700-664-6670).

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Lind-Bohanon Neighborhood Association's plan for a sign and landscaping gateway project in the area of 49th and Lyndale Av N and having been informed that the neighborhood would like to apply for funding from the Minnesota Department of Transportation (MnDOT), now recommends passage of the accompanying resolution requesting and applying for funding through MnDOT's Community Roadside Landscaping Program for the Lind-Bohanon gateway project.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-557

By Mead

Applying to the Minnesota Department of Transportation (MnDOT) for funding through the Community Roadside Landscaping Partnership Project for the Lind-Bohanon Neighborhood's gateway project.

Resolved by The City Council of the City of Minneapolis:

That the Lind-Bohanon Neighborhood Association (LBNA) shall act as the sponsoring unit for the project identified as the Lyndale Av N Signage and Landscaping Project, located adjacent to Interstate 94 at the intersection of 49th and Lyndale Av N, to be conducted during the period of March/April 2002 through November 2002.

Be It Further Resolved that the proper staff of LBNA be authorized to apply to MnDOT for funding of said project on behalf of the neighborhood organization.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Bank St Area Residential Lighting Project (in the area bounded by Hennepin Av E, University Av SE, Central Av SE and Main St SE), now recommends passage and summary publication of the accompanying resolution designating the location, streets, and improvements proposed to be made in said project (Special Improvement of Existing Street No. 2232).

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-558, designating the location, streets and improvements proposed to be made in the Bank St Area Residential Lighting Project, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this resolution is available for public

inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2001R-558

By Mead

**Bank St Area Lighting Project
Special Improvement of Existing Street No. 2232**

Designating the improvement of certain existing streets at the location described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by installing ornamental street lights together with all necessary appurtenances and work related thereto:

Bank St from approximately Lourdes Place to the south ROW line of University Av SE;

Lourdes Place from approximately the east ROW line of Hennepin Av E to Bank St;

2nd St SE from approximately the east ROW line of Hennepin Av E to Bank St;

Ortman St from approximately Bank St to the west ROW line of Central Av SE.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Bank St Area Residential Lighting Project (in the area bounded by Hennepin Av E, University Av SE, Central Av SE and Main St SE) and having received a cost estimate of \$198,000 for street lighting improvements and the list of benefited properties for said project (Special Improvement of Existing Street No. 2232), as designated by Resolution 2001R-558 passed December 28, 2001, now recommends that the City Engineer be directed to prepare a proposed Street Lighting Improvement Assessment in the amount of \$198,000 against the list of benefited properties by applying the street influence zone area method.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Bank St Area Residential Lighting Project (in the area bounded by Hennepin Av E, University Av SE, Central Av SE and Main St SE), now reports that, in accordance with Chapter 431 of the Minneapolis Code of Ordinances relating to the establishment of street lighting districts (said Chapter 431 defining such street lighting district as an area wherein lighting in excess of minimum street lighting is provided and further providing that the City's costs over and above said minimum lighting shall be paid by the benefited property owners), the City Engineer has presented to your Committee the details required by said Chapter 431 in connection with proposed Street Lighting District 1287 for assessment of the maintenance and operation costs on additional street lighting for the convenience and safety of the area delineated as Bank St Area (streets to receive lighting are as designated in the Bank St Area Street Lighting Project, Special Improvement of Existing Street No. 2232).

A summary of the facts relative to this assessment is as follows:

Number of assessable parcels in said district:	7
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Total assessable frontage in feet	2600
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Annual cost per foot	\$0.60
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Your Committee recommends that if there should be an increase in the cost of street lighting in the future that the increased cost be reflected in the assessment.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends passage of the accompanying resolution amending Resolution 2001R-400 to correctly reflect that the City is requesting a variance from state design standards on the west side of Sheridan Av S (in connection with the W 43rd St and Upton Av S Roadway and Streetscape Revitalization Project).

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-559

By Mead

Amending Resolution 2001R-400 entitled, "Holding the State of Minnesota harmless from any claims arising from the granting of a variance from state design standards (8820.9936, curbside reaction distance) on the east side of Sheridan Av S (MSAS 201), from approximately 150 to 315 feet north of the north curb line of W 43rd St", passed September 14, 2001.

Resolved by The City Council of the City of Minneapolis:

That the above-entitled resolution be amended by deleting from the title of the resolution the word "east" and inserting in lieu thereof the word "west".

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Flood Mitigation Project, Flood Area 19 (44th St W and Aldrich Av S), now recommends that the proper City officers be authorized to amend the City's contract with Polaris Group, Inc. (Contract #016732) to provide for expansion of the scope of work to include additional site research, hydraulic analysis, survey work and plan sheet production with a cost increase up to an additional \$30,000, for a total not to exceed \$80,000. Said contract increase is payable from the existing project budget.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the results of a Request for Proposals for services relating to planned improvements to Fire Station No. 6 at 121 E 15th St, now recommends that the proper City officers be authorized to negotiate and execute an agreement for architectural and engineering design services for said project with Hagen, Christensen & McIlwain Architects for a fee not to exceed \$250,000, payable from the approved Capital Improvement budget.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the City Council Chamber Renovation Project, now recommends that the proper City officers be authorized to execute Change Order #2 to Contract #17193 with Alpha Video, Inc., increasing the contract by \$13,138, for a revised total of \$390,520, to include monitors and a wide angle camera lens in the project. Said contract increase is payable from the existing project budget.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration plans to acquire property for expansion of the 3rd Police Precinct and having received a report identifying two properties needed for an expansion, now recommends that the proper City officers be authorized to acquire through negotiation or condemnation the following properties:

3023 Snelling Av;

3033 Snelling Av.

If negotiations are successful, staff shall return to the Council for consideration of a purchase agreement.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, to whom was referred back a resolution reaffirming the City's support for the Northstar Commuter Rail Project, now recommends passage and summary publication of said accompanying resolution.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-560, reaffirming the City's support for the Northstar Commuter Rail Project, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2001R-560

By Ostrow

Supporting the Northstar Commuter Rail Project

Whereas, the City of Minneapolis is a regional economic and cultural center; and

Whereas, the continuing vitality of the City's downtown depends on providing alternative transportation methods; and

Whereas, the region's and City's traffic congestion levels are ever increasing while concurrently the highway and street capacities are not increasing; and

Whereas, reverse commute options are needed to strengthen access to employment opportunities and further regional economic development; and

Whereas, minimizing dependency on personal automobiles and associated transportation expenditures is an integral factor of affordable housing; and

Whereas, the Northstar Commuter Rail Project, when completed, will provide greater access to and from Minneapolis, giving residents and visitors a safe, convenient and on-time transportation option; and

Whereas, the Northstar Commuter Rail Project, when completed, will provide greater access and improved transportation options among the northwest communities and Minneapolis; and

Whereas, the Northstar Commuter Rail Project would link to the Hiawatha Light Rail line, becoming the second leg of a multi-modal transportation system; and

Whereas, the City of Minneapolis' commitment to the project has been demonstrated by its active participation in the Northstar Corridor Development Authority, a multi-jurisdictional entity established by a joint powers agreement in 1997;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis reaffirms its support for the Northstar Commuter Rail Project.

Be It Further Resolved that the City of Minneapolis requests the Minnesota Legislature to authorize \$120 million in state bonds to provide a match for the Northstar Commuter Rail Project.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends concurrence with the following names submitted by the Downtown Council for appointment to the Skyway Advisory Committee to serve two-year terms to expire on December 31, 2003:

Edward Baker (Baker Investments)
David Burrill (Ryan Companies)
Brent Erickson (United Properties)
Scott Foley (Minneapolis Hilton & Towers)
Kevin Fossum (Equity Office Properties Trust)
Steve Frisbie (Target Corporation-Marshall Field's)
Mary Kay Goodman (Residential)
Brent Habeck (Brookfield Properties)
Clifford Habeck (Lutheran Brotherhood)
Andrew Hauer (Downtown Minneapolis Neighborhood Association)
Steven Herron (Zeller Management Corporation)
Charles Howard (Equity Commercial Services)
Deb Kolar (RREEF/IDS/Crystal Court)
Tony Negrini (TCF Bank)
Damon Noga (Standard Parking)
Becca Owen (Hines/NWC Limited Partnership)
Paige Rickert (CB Richard Ellis)
George Rosenquist, Jr (Special Interests)
Kathy Stalwick (American Express Financial)

Non Voting Ex Officio Members

John Bergquist (Licenses and Regular Services)
Jack Byers (Planning Department)
Larry Cooperman (City Attorney)
Phil Handy (Minneapolis Community Development Agency)
Merwyn Larson (Inspections Department)
Mike Sachi (Public Works - Transportation).

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration a Priority Vehicle Control Project to allow MetroTransit buses to receive priority at signalized intersections along certain major bus corridors to be funded by federal ISTEA funds, now recommends that the proper City officers be authorized to execute Agreement #81660 with the Minnesota Department of Transportation (MnDOT) in the amount of \$575,834 to allow the City to use federal aid funds in the amount of \$461,000 for signal modifications to be done by City employees, in conjunction with implementation of the Priority Vehicle Control Project on Lake St (from E 27th Av to the Mississippi River) and Nicollet Av S.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Downtown East Light Rail Transit (LRT) Station Block Transit-Oriented Development Public Infrastructure Project (Parking Ramp under LRT station at Metrodome plaza site), now recommends that the proper City officers be authorized to use the Minneapolis Community Development Agency (MCDA) panel contract with Hammel, Green and Abrahamson, Inc. for additional architectural services necessary to construct the parking ramp, in a contract amount not exceed \$100,000, payable from the bond proceeds available for the project.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having been presented with staff's recommendations for the Minneapolis Bicycle Master Plan and reorganization recommendations for the Minneapolis Bicycle Advisory Committee (BAC), now recommends:

a) Approval of the Minneapolis Bicycle Master Plan (as contained in Petn No 267560), including a bikeway system plan;

b) Approval of the reorganization of the Minneapolis Bicycle Advisory Committee (as contained in Petn No 267560) including acceptance of the mission statement (as amended by the Committee), expectations and roles and responsibilities of the BAC;

c) That staff be directed to complete the Minneapolis Bicycle Master Plan Final Report to be considered by the City Council, Mayor and Minneapolis Park and Recreation Board by August 2002.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the proposal of Stone Arch Partners for a housing development at 601 Main St SE and having been informed that the developers applied for a street vacation in conjunction with the project and were requested to submit a development agreement containing certain provisions before a vacation would be considered and having been presented with such an agreement, now recommends approval of the agreement between the City and Stone Arch Partners, LLC as included in Petn No 267560.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the 3rd Av S Reconstruction Project (Avenue of the Arts) and a recent directive to eliminate proposed streetscape elements from the Avenue of the Arts Project to allow completion of the road construction project within the existing project appropriations, now recommends:

a) Approval of a change in the project limits to reduce the reconstruction project to include 12th St S to Washington Av S; and

b) That the segment of the project from Washington Av S to 1st St S be postponed.

Your Committee having also received a staff recommendation to eliminate the renovation and streetscape project proposed from 17th St to 26th St, recommends that staff be directed to return to the Transportation & Public Works Committee in January 2002 with further information regarding financing and costs for that neighborhood portion of the project for further consideration.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committee submitted the following reports:

T&PW & W&M/Budget - Your Committee recommends passage and summary publication of the accompanying resolution authorizing execution of a purchase agreement and sale of excess City property at 2400 W Broadway (former police precinct) to St. Anne's Community Development Corporation.

Your Committee further recommends that the proceeds from the sale of said property be deposited into the General Services-Capital Agency to be used to assist with implementation of an initiative to identify and inventory all City-owned parcels.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-561, authorizing the sale of City-owned property at 2400 W Broadway, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2001R-561
By Mead & Campbell

Authorizing the sale of certain City-owned property located at 2400 W Broadway.

Whereas, the City owns land at 2400 W Broadway; and

Whereas, the City Engineer has determined that this parcel is not needed for City purposes; and

Whereas, St. Anne's Community Development Corporation has offered to enter into a Purchase Agreement with the City, agreeing to pay the City \$44,000 for the property; and

Whereas, the City Assessor has determined this transaction price to be fair market value and has reported this to the City Council; and

Whereas, the Planning Commission reviewed the sale on December 13, 2001, as to being in conformance with the Comprehensive Plan and a public hearing, notice of which was published in a newspaper of general circulation in Hennepin County at least ten days in advance of the hearing, was held by the Transportation and Public Works Committee on December 20, 2001, all in accordance with the Minneapolis Code of Ordinances, Section 14.120;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to execute a Purchase Agreement and related documents for sale of the land legally described as:

Lots 10 and 11, together with that part of the vacated alley lying between the extension across it of the North line of Lot 11 and the following described line: Beginning at the most Easterly corner of Lot 10; thence Northeasterly along the extension of the Southeasterly line thereof to the center line of said alley; thence Southeasterly, along said center line to its intersection with the extension of the East Line of Lot 11; thence North to the East line of said Lot 11; all in Block 2, Wenz Addition to Minneapolis, Lot 2. Auditors Subdivision No. 19, Hennepin Co., Minnesota,

According to the plats thereof on file or of record in the office of the Register of Deeds in and for said Hennepin County and more fully described in Petn No 267563 on file in the Office of the City Clerk.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration a report from the City's Transportation Engineer indicating that the yearly review of parking rates and operations in the vicinity of each of the municipal parking facilities is complete and including a recommendation that base rates for the City's facilities remain as is (as outlined in Petn No 267563), now recommends acceptance of the current parking rates for municipal parking facilities to be established as the 2002 base rate. It is further recommended that the 2003 base rate for the Jerry Haaf Memorial Ramp be accepted to be used for City budget purposes.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration a staff recommendation that revenues from the Third Av N TAD Garage be used to fund a new anti-icing program on the I-394 High Occupancy Vehicle (HOV) Reversible Road, now recommends:

a) Authorization to pay \$142,000 from TAD parking garage revenues to the Minnesota Department of Transportation (MnDOT) for the anti-icing program in accordance with the Operation and Maintenance Plan for the TAD garages;

b) Passage of the accompanying resolution increasing the TAD 5 appropriation by \$71,000 and the TAD 7 appropriation by \$71,000 for the program.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-562

By Mead & Campbell

Amending The 2001 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended as follows:

a) By increasing the appropriation for the Public Works - Transportation Agency (TAD5) in the Municipal Parking Fund (7500-685-TAD5) by \$71,000; and

b) By increasing the appropriation for the Public Works - Transportation Agency (TAD7) in the Municipal Parking Fund (7500-685-TAD7) by \$71,000.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration the Windom Park Neighborhood Bikeway Project as included in the Minneapolis Five-Year Bikeways Plan, now recommends:

a) Approval of the implementation of on-street signed bikeways in the Windom Park Neighborhood (as shown on the map included in Petn No 267564);

b) Authorization to pay \$11,200 to complete the project using funds from the Commuter Bicycle Fund (4100-943-9470), with the understanding that the Windom Park Neighborhood will reimburse fifty percent (\$5,600) of the project costs through their Neighborhood Revitalization Program plan once the contract for the project has been finalized.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration plans for reconstruction of the intersection of 54th St and Minnehaha Av to accommodate light rail transit, now recommends that the proper City officers be authorized to execute Project Funding Agreement #5 with the Metropolitan Council providing for payment by the City of \$304,363.80 (to be reimbursed through Municipal State Aid funds) as the City's share of the reconstruction project.

Your Committee further recommends passage of the accompanying resolution increasing the project appropriation.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-563

By Mead & Campbell

Amending The 2001 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Public Works - Paving Construction Capital Agency in the Permanent Improvement Projects Fund (4100-937-9372) by \$304,364 and increasing the revenue source (4100-937-9372 - Source 3215) by \$304,364.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration the Near Northside Redevelopment Project and having received a report from the project staff outlining funds that will be received for infrastructure and site preparation from the Metropolitan Council, the federal government and bidder payments and a request for appropriation of some funds, now recommends passage and summary publication of the accompanying resolution:

a) Increasing the appropriation for the Near Northside Redevelopment Infrastructure Work by \$1,500,000 (Livable Communities Grant);

b) Increasing the appropriation for the Sewer Construction Capital Agency by \$1,172,356 (interceptor project);

c) Increasing the appropriation for the Near Northside Redevelopment Infrastructure Work by \$10,000,000 (boulevard greenway in Bassett Creek Valley area);

d) Increasing the appropriation for the Near Northside Redevelopment Infrastructure Work by \$1,200,000 (Middle Mississippi River Watershed Management Organization funds);

e) Increasing the appropriation for the Near Northside Redevelopment Infrastructure Work by \$900 (payments by bidders for plan drawings);

f) Increasing the appropriation for the Near Northside Redevelopment Infrastructure Work by \$870,000 (reimbursement by Minneapolis Public Housing Authority for wick drain installations).

Your Committee further recommends that the proper City officers be authorized to execute an amendment to Agreement #14623 dated August 28, 1999 with SRF Consulting Group, Inc. extending the termination date of the agreement to August 27, 2003 and increasing the agreement amount by \$2,024,500 for design and engineering of open space and infrastructure components using appropriated funds.

Your Committee further recommends that the proper City officers be authorized to make a payment to Reliant Energy in the amount of \$262,369 for 16" gas pipe relocation in the Near Northside Redevelopment Project Phase I area, per Near Northside Redevelopment Stage I financing plans approved on August 25, 2000, using previously appropriated Section 108 loan funds (to be reimbursed by 2003 tax increment bonds).

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-564, appropriating funds for infrastructure and site preparation for the Near Northside Redevelopment Project, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2001R-564
By Mead & Campbell

Amending The 2002 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended as follows:

a) Increasing the appropriation for the Capital Improvements - Non Departmental Agency in the Permanent Improvement Projects Fund (4100-970-9719) by \$1,500,000 and increasing the revenue source (4100-970-9719 - Source 3215) by \$1,500,000 (Metropolitan Council Livable Communities Demonstration Account Grant awarded December 3, 2001);

b) Increasing the appropriation for the PW - Sewer Construction Capital Agency in the Sewer Rental Fund (7300-932-9322) by \$1,172,356 and increasing the revenue source (7300-932-9322 - Source 3215) by \$1,172,356 (per Agreement #017272 dated October 29, 2001 with the Metropolitan Council Environmental Services, for reimbursement to the City by the Metropolitan Council for interceptor construction);

c) Increasing the appropriation for the Capital Improvements - Non Departmental Agency in the Permanent Improvement Projects Fund (4100-970-9719) by \$10,000,000 and increasing the revenue source (4100-970-9719 - Source 3210) by \$10,000,000 (federal transportation funding for the new North-South Boulevard Greenway in the Bassett Creek Valley area);

d) Increasing the appropriation for the Capital Improvements - Non Departmental Agency in the Permanent Improvement Projects Fund (4100-970-9719) by \$1,200,000 and increasing the revenue source (4100-970-9719 - Source 3225) by \$1,200,000 (2002 funding by the Middle Mississippi River Watershed Management Organization);

e) Increasing the appropriation for the Capital Improvements - Non Departmental Agency in the Permanent Improvement Projects Fund (4100-970-9719) by \$900 and increasing the revenue source (4100-970-9719 - Source 3755) by \$900 (payments by bidders for plan drawings); and

f) Increasing the appropriation for the Capital Improvements - Non Departmental Agency in the Permanent Improvement Projects Fund (4100-970-9719) by \$870,000 and increasing the revenue source (4100-970-9719 - Source 3225) by \$870,000 (reimbursement by Minneapolis Public Housing Authority for wick drain installation on selected housing sites).

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee recommends acceptance of the following bids in accordance with City specifications (Petn No 267565):

a) OP #5738, bid submitted by Duncan Industries Parking Control Systems Corporation in the amount of \$57,414 to furnish and deliver parking meters;

b) OP #5570, low bid of Hawkins Chemical, Inc. for an estimated expenditure of \$70,000 to furnish and deliver ammonia for the Water Works through February 28, 2002;

c) OP #5740, bid of Hobas Pipe USA, Inc. for an estimated expenditure of \$260,000 to furnish and deliver fiberglass slip line pipe for the Public Works Sewer Construction Division;

d) OP #5741, low bid of Total Construction and Equipment, Inc. in the amount of \$275,950 to accomplish an electrical system upgrade at Water Works Pump Station #7;

e) OP #5713, low bid meeting specifications of Boiler Services, Inc. in the amount of \$154,927 to furnish and install a gas/oil burner for the Water Works.

Your Committee further recommends that the proper City Officers be authorized to execute contracts for the above projects and/or services, in accordance with City specifications.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration a report passed April 6, 2001 accepting a bid under OP #5611 from Midwest Diesel Service, Inc. for OEM Parts and Services for Crane Carrier Model Refuse Vehicles through February 28, 2002, now recommends that said report be amended by increasing the estimated expenditure from \$60,000 to \$90,000 due to greater than anticipated usage, all still in accordance with City specifications.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration a report passed December 15, 2000 awarding a contract under OP #5515 to Electronic Design Company for parking ramp security services, now recommends that said report be amended by increasing Contract #C-161153 by \$400,000, for a new estimated total of \$847,356 to update additional parking ramp security systems as needed through December 31, 2002.

Your Committee further recommends that the proper City officers be authorized to execute said contract amendment.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, to whom was referred back a report regarding authorization to execute an agreement with Olaf Limited Partnership for the City's lease of the Ritz Lot at 54 S 4th St for use by the City for sale of public parking and having postponed in Committee that subject matter, now recommends that the proper City officers be authorized to execute a 60-day extension to the City's current agreement for the lease of said lot.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration light rail transit (LRT) plans in the vicinity of the 5th St TAD garage and a previous Council action authorizing acquisition of land to be used for access to the garage and location of an LRT traction power substation and having now been informed by staff that circumstances in the vicinity have changed and they no longer recommend acquisition, now recommends:

a) That the report passed October 12, 2001 relating to the TAD 5 Exit/LRT Conflict and authorizing negotiations and condemnation if necessary of a parcel north of 5th St N and east of 2nd Av N and directing negotiation of an agreement with the Metropolitan Council on use of said property be rescinded; and

b) Passage of the accompanying resolution amending Resolution 2001R-233 to eliminate appropriated funds for said project.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-565

By Mead & Campbell

Amending Resolution No. 2001R-233 entitled "Amending the 2001 Capital Improvement Appropriation Resolution", passed June 8, 2001.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended by deleting Paragraphs A and B.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration the Midtown Greenway Project (Phase II) and a request to acquire property for an access ramp at Bloomington Av, now recommends that the proper City officers be authorized to negotiate a purchase agreement for the following parcels:

a) Property ID 35-029-24-43-0116;

b) Property ID 35-029-24-43-0117.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration the University of Minnesota Transitway Trail and a request to acquire property needed to construct Phase III of the trail along the southern third of the Dinkytown rail corridor, now recommends that the proper City officers be authorized to negotiate with Burlington Northern Santa Fe Railroad for purchase of said property (as outlined in Petn No 267563).

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration increased demands within the Public Works Paving Division for installation of concrete sidewalk and curb and gutter and having been informed that the City's sidewalk contractors were requested to perform additional work, now recommends passage of the accompanying resolution increasing the Public Works - Streets & Malls Capital Agency by \$235,000 for the 2001 Sidewalk Capital Budget.

Your Committee further recommends that the proper City officers be authorized to extend the contract with Standard Sidewalk (District 1 and District 3) by \$120,000 and with Gunderson Brothers Cement (District 2) by \$115,000.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-566

By Mead & Campbell

Amending The 2001 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Streets & Malls Capital Agency in the Permanent Improvement Projects Fund (4100-937-9390) by \$235,000.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget - Your Committee recommends approval of the *Minneapolis Empowerment Zone (EZ) 2002-2005 Strategic Plan*, in concurrence with the recommendation of the EZ Governance Board, as more fully set forth in Petn No 267571 on file in the Office of the City Clerk.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the City's Finance Officer be authorized to review all options for property insurance for the Convention Center (including the Tallmadge Building and the Ramp), for a coverage period to begin January 1, 2002, and for the Convention Center Expansion Project, for a coverage period to begin April 1, 2002.

Your Committee further recommends that the City's Finance Officer be authorized to negotiate the preferred option and to execute an agreement for said coverage by the specified deadlines, with the understanding that this action will impact the Convention Center Operations Agency in the Convention Center-Related Fund (0760-865-865A).

Your Committee further recommends that the City's Finance Officer report back to the Ways and Means/Budget Committee with terms and conditions of the agreement.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval of the updated/revised version of the *City of Minneapolis Professional Services Procurement, Contract Monitoring and Real Estate Transactions Procedures Manual*, as more fully set forth in Petn No 267572 on file in the Office of the City Clerk.

Your Committee further recommends that the Procurement Director be authorized to approve technical revisions to said manual, when appropriate.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute all necessary documents, on behalf of the City, to effectuate a settlement agreement with STA Associates, Inc, SDA Development Corporation, and the Minneapolis Community Development Agency (MCDA), as it relates to the Great Lakes Center Project, in concurrence with the direction of the MCDA Board of Commissioners, as more fully set forth in Petn No 267567 on file in the Office of the City Clerk.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends settlement of the following claims, payable from the Self Insurance Fund (6900-150-1500-4000), as follows:

a) Authorize payment to Eva McMorris and her attorney, Elizabeth A. Cloutier, in the amount of \$13,750; and authorize the City Attorney to execute the necessary documents to effectuate the settlement and release of claims; and

b) Authorize payment to Ronald Stover and his attorney, Goins & Wood, P.C., in the amount of \$16,000.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the City Attorney be authorized to execute a release of claims and settlement agreement and other actions and documents as are necessary to settle the lawsuit entitled, *Turnipseed vs. City of Minneapolis, et al*; and further authorizes payment of the settlement amount of \$20,000, payable to Daryl Turnipseed and his attorney, Loren Dorshow, Esq, payable from the Self Insurance Fund (6900-150-1500-4000).

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute an agreement with the Hennepin County Attorney's Office for the City to provide prosecution services for fifth degree enhanced felony domestic violence cases, for the amount of \$33,000.

Your Committee further recommends acceptance of \$33,000 from Hennepin County for said services.

Your Committee further recommends passage of the accompanying resolution increasing the Attorney Agency appropriation by \$33,000.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-567

By Campbell

Amending The 2001 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Attorney Agency in the General Fund (0100-140-1410) by \$33,000, and increasing the Attorney Agency revenue estimate in the General Fund (0100-140-1410-Source 3220) by \$33,000.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.
Approved December 31, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends acceptance of a \$75,000 grant from the United States Department of Justice, Bureau of Justice Assistance, to provide community prosecution.

Your Committee further recommends that the proper City officers be authorized to execute the necessary grant documents.

Your Committee further recommends passage of the accompanying resolution increasing the Attorney Agency appropriation by \$75,000.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-568
By Campbell

Amending The 2001 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Attorney Agency in the General Fund (0100-140-1410) by \$75,000, and increasing the Attorney Agency revenue estimate in the General Fund (0100-140-1410-Source 3210) by \$75,000.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee, having under consideration a request from Sergeant John Pielow for reimbursement of attorneys' fees, now recommends approval of said reimbursement, in the amount of \$4,428.10, payable to Frederic Bruno & Associates, from the Self Insurance Fund (6900-150-1500-4000).

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Amendment #1 to Contract #13933 with Marsh, Inc., increasing said contract by \$33,000, for a new contract total not to exceed \$363,300, payable from the Convention Center Site Agency in the Permanent Improvement Projects Fund (4100-975-9751).

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 28, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published January 2, 2002)

W&M/Budget - Your Committee recommends granting a waiver of the Building Permit and Building Permit Plan Review fees for the Convention Center Expansion Project, in concurrence with the recommendation of the Convention Center Implementation Subcommittee, at its meeting on December 7, 2001.

Your Committee further recommends that the Convention Center Expansion Project receive credit, in the amount of \$569,690.55, as reimbursement of said fees, (which were paid prior to the initiation of the waiver request), with said reimbursement to be payable from the Inspections Department Agency in the General Fund (0100-850-8510).

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute change orders to the following contracts for additional work required on the Convention Center Expansion Project, increasing the contracts by the amounts indicated, payable from the Convention Center Site Agency in the Permanent Improvement Projects Fund (4100-975-9751):

a) Change Order #4 to Contract #15186 with Impulse Group, Inc., increasing said contract by \$171,607, for a new contract total of \$8,781,079;

b) Change Order #4 to Contract #14492 with Gage Brothers Concrete Products, Inc, increasing said contract by \$2,373, for a new contract total of \$1,316,300;

c) Change Order #5 to Contract #14638 with M. G. McGrath, Inc., increasing said contract by \$10,917, for a new contract total of \$2,832,014;

d) Change Order #6 to Contract #15277 with Swanson & Youngdale, Inc., increasing said contract by \$19,419, for a new contract total of \$914,660;

e) Change Order #6 to Contract #15235 with Minuti-Ogle Company, Inc., increasing said contract by \$73,581, for a new contract total of \$10,200,353;

f) Change Order #9 to Contract #14277 with Havens Steel Company, increasing said contract by \$104,528, for a new contract total of \$21,157,330; and

g) Change Order #13 to Contract #15236 with Harris Mechanical, increasing said contract by \$174,735, for a new contract total of \$17,360,649.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 28, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published January 2, 2002)

W&M/Budget - Your Committee recommends approval to use federal Empowerment Zone (EZ) funds for Phase I of the Urban Village Project, in concurrence with the recommendation of the EZ Governance Board, in the amount of \$250,000.

Your Committee further recommends that the proper City officers be authorized to execute a Memorandum of Understanding with the Minneapolis Community Development Agency (MCDA), setting forth terms and conditions of the agreement.

Your Committee further recommends passage of the accompanying resolution increasing the Inter-Fund Transfer Agency by \$250,000 for transfer to the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-569

By Campbell

Amending The 2001 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

a) decreasing the appropriation for the City Coordinator Agency in the Federal Grants Fund (0300-840-8460) by \$250,000; and

b) increasing the appropriation for the Inter-Fund Transfer Agency in the Federal Grants Fund (0300-127-1270-9030) by \$250,000, for Phase I of the Urban Village Project, for transfer to the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval to use federal Empowerment Zone (EZ) funds for the Powderhorn Resident Group, Inc. (PRG), for implementation of Phase I of the Village in Phillips (VIP) Development Project, in concurrence with the recommendation of the EZ Governance Board, in the amount of \$200,000, payable from the City Coordinator Agency in the Federal Grants Fund (0300-840-8460).

Your Committee further recommends that the proper City officers be authorized to execute a contract with PRG, setting forth terms and conditions of the agreement.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval to use federal Empowerment Zone (EZ) funds for Employment Action Center's Harrison Neighborhood Youth Employment and Training Program, in concurrence with the recommendation of the EZ Governance Board, in the amount of \$39,371, payable from the City Coordinator Agency in the Federal Grants Fund (0300-840-8460).

Your Committee further recommends that the proper City officers be authorized to execute a contract with Employment Action Center, setting forth terms and conditions of the agreement.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval to use federal Empowerment Zone (EZ) funds for The Jeremiah Program capital campaign for housing and daycare, in concurrence with the recommendation of the EZ Governance Board, in the amount of \$400,000, payable from the City Coordinator Agency in the Federal Grants Fund (0300-840-8460).

Your Committee further recommends that the proper City officers be authorized to execute a contract with The Jeremiah Program, setting forth terms and conditions of the agreement.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval to use federal Empowerment Zone (EZ) funds for the YWCA's Phillips Children's Center, in concurrence with the recommendation of the EZ Governance Board, in the amount of \$150,000, payable from the City Coordinator Agency in the Federal Grants Fund (0300-840-8460).

Your Committee further recommends that the proper City officers be authorized to execute a contract with the YWCA, setting forth terms and conditions of the agreement.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval to use federal Empowerment Zone (EZ) funds for West Side Community Health Services' La Clinica en Lake, in concurrence with the recommendation of the EZ Governance Board, in the amount of \$100,000, payable from the City Coordinator Agency in the Federal Grants Fund (0300-840-8460).

Your Committee further recommends that the proper City officers be authorized to execute a contract with West Side Community Health Services, setting forth terms and conditions of the agreement.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends concurrence with the recommendation of the New Central Library Implementation Committee to execute the following lease agreements:

a) a 41-month lease agreement with FRM Associates, LLC, for operation of an interim Central Library to be located at the Marquette Plaza, 250 Marquette Avenue, for a period to commence August 1, 2002 and to expire December 31, 2005, at a base rent of \$84,000 per month, for a total base rent of \$3,444,000, with additional renewal options for two (2) three-month periods, followed by one (1) six-month period, at a rental rate of \$92,448 per month, with estimated operating expenses payable to the landlord under the lease agreement, at the estimated amount of \$44,897 per month, for a total estimated operating expense amount of \$1,840,775, with a total of base rent and estimated operating expenses of \$5,284,775 (not including renewal options), all payable from the Library Board Capital Referendum Agency in the Permanent Improvement Library Fund (4400-908-9080); and

b) a 41-month lease agreement with Winnetka Properties, LLC, for interim library storage off-site, for a period to commence August 1, 2002 and to expire December 31, 2005, for the estimated amount of \$10,395 per month, for a total estimated amount of \$426,195, payable from the Library Board Capital Referendum Agency in the Permanent Improvement Library Fund (4400-908-9080), with additional renewal options for two (2) three-month periods, followed by one (1) six-month period at a rental rate of \$12,285 per month.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute an addendum (entitled, "CareMC Terms of Use Agreement") to the CorVel Master Contract #13050 with CorVel Corporation to enable access to CareMC, a case management and on-line data-sharing program, at no additional cost to the City.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends passage of the accompanying resolution amending Council action of June 27, 1986 (Resolution #86R-279, entitled, "Imposing a tax on the gross receipts from sales of on-sale liquor and fermented malt beverages and from sales of food by restaurants and places of refreshment that occur in the downtown area and from the furnishing of lodging at hotels and motels within the City, pursuant to Laws of Minnesota for 1986, Chapter 396, and Chapter 400, Section 44") to reflect the related amendment from Laws of Minnesota 2001, 1st Special Session, Chapter 5, Article 12, Section 5 (Liquor, Lodging and Restaurant Taxes), increasing the total sales tax rate and other tax rate provisions on lodging in the City of Minneapolis from a total of 12% to 13%, enabling the City to increase the City's lodging tax rate from 2% to 3%.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-570

By Campbell

Amending Resolution 86R-279, entitled, "Imposing a tax on the gross receipts from sales of on-sale liquor and fermented malt beverages and from sales of food by restaurants and places of refreshment that occur in the downtown area and from the furnishing of lodging at hotels and motels within the City, pursuant to Laws of Minnesota for 1986, Chapter 396 and Chapter 400, Section 44," to reflect the related amendment from Laws of Minnesota 2001, 1st Special Session, Chapter 5, Article 12, Section 5 (Liquor, Lodging and Restaurant Taxes), increasing the total sales tax rate and other tax rate provisions on lodging in the City of Minneapolis from a total of 12% to 13%, enabling the City to increase the City's lodging tax rate from 2% to 3%.

Resolved by The City Council of The City of Minneapolis:

That Section 2 of Resolution 86R-279 be amended to read as follows:

There is hereby levied an excise tax in the amount of three percent on the gross receipts from the furnishing for consideration of lodging for a period of less than 30 days at a hotel or motel located within the City which has more than 50 rooms available for lodging; provided however, that the tax rate of three (3) percent shall be reduced, but only to the extent necessary, so that the tax imposed on lodging hereunder shall be at a rate that, when added to the sum of the rate of the sales tax imposed under Minnesota Statutes, Chapter 297A, the rate of the sales tax imposed under Section 4 of Chapter 396, Laws of Minnesota for 1986, and the rate of any other taxes on lodging in the City of Minneapolis equals no more than thirteen (13) percent. The tax rate, upon the effective date of this amendment, will be three (3) percent.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval for the 2001 (Year 27) Community Development Block Grant (CDBG) portion of the Building Commission Life Safety Improvements Program funds, in the amount of \$86,500, to be exchanged for the 2001 Permanent Improvement Tax Levy Fund Defective Hazardous Handicap Sidewalk Access Program funds, in the amount of \$86,500, in order to meet CDBG eligibility requirements.

Your Committee further recommends passage of the accompanying resolution transferring funds.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-571

By Campbell

Amending The 2001 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

a) increasing the appropriation for the Inter-Fund Transfer Agency in the Permanent Improvement Projects Fund (4100-127-1270-9050) by \$86,500; and

b) increasing the appropriation for the Building Commission Capital Improvement Fund (4200-901-9013-3845) by \$86,500.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval to classify a new position as District Supervisor, Code Compliance, to be allocated to Supervisor IV, Grade 10, of the new Supervisor classification line, with an annual salary of \$50,170 to \$67,233, effective January 1, 2002.

Your Committee further recommends passage of the Salary Ordinance, setting the salary for the position of District Supervisor, Code Compliance.

Your Committee further recommends that summary publication of the above-described Ordinance be authorized.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-176, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of District Supervisor, Code Compliance, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-176
By Campbell
1st & 2nd Readings: 12/28/2001

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes:

Minneapolis City Supervisors Association (CSU)
Effective January 1, 2002

Job Code	Salary Grade	FLSA OTC	Classification title	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
	10	E1	Supervisor IV District Supervisor, Code Compliance	A	50,170	52,679	55,313	58,078	60,982	64,031	67,233

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes:

Minneapolis City Supervisors Association (CSU)
Effective January 1, 2003

Job Code	Salary Grade	FLSA OTC	Classification title	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
	10	E1	Supervisor IV	A	51,801	54,391	57,111	59,966	62,964	66,112	69,418

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval to amend Ordinance No. 2001-Or-131, passed by Council action of November 9, 2001, relating to the Minneapolis Building and Construction Trades Council to include appropriate information to accurately calculate back pay, to be effective May 1, 2001.

Your Committee further recommends passage of the accompanying Salary Ordinance reflecting said amendment.

Your Committee further recommends that summary publication of the above-described Salary Ordinance be authorized.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-177, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, revising the Salary Ordinance for the Minneapolis Building and Construction Trades Council to accurately calculate back pay, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-177
By Campbell
1st & 2nd Readings: 12/28/2001

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective May 1, June 4, and July 1, 2001, except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or delinquency of such employee, but shall not apply to any employee heretofore separated from the service by voluntary resignation or through fault or delinquency on the part of such employee.

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective May 1, 2001:

BUILDING TRADES (CBT) Effective May 1, 2001

Group I (Permanent):

FLSA	OTC	CODE	CLASSIFICATION	P	Hourly Rate	1st 120 Days Rate
N	2	01400C	Bricklayer	H	26.32	32.90
			Provided that when working on a swing stage, a Bricklayer shall receive an additional 55 cents per hour.			
N	2	01510C	Carpenter	H	25.72	32.22
			Provided that when a Carpenter is working with material that has been treated with toxic carbolineum or toxic creosote, he/she shall be paid an additional 25 cents per hour.			
N	2	07350C	Painter	H	25.82	32.33
			Provided that when a Painter is working on overhead window-jacks, safety belts, structural steel, epoxy, commercial sandblasting, all 2-component paints, bridge work (except for guard rails and inside railings), swing stages (not including scaffolding), and spray painting, he/she shall receive an additional 75 cents per hour. Provided further that painters when performing striping duties between the hours of 12:00 a.m. and 8:00 a.m. shall receive an additional 18.75% premium.			
N	2	05940C	Lacquer and Varnish Machine Operator	H	25.82	32.33
			Provided that when a Lacquer and Varnish Machine Operator is spray painting, he/she shall receive an additional 75 cents per hour. Provided further that Painters, when performing striping duties between the hours of 12:00 a.m. and 8:00 a.m., shall receive an additional 18.75% premium.			

FLSA	OTC	CODE	CLASSIFICATION	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step
N	2	07780C	Pipefitter	H	29.29	36.33				
N	2	07770C	Pipefitter/Instrumentation	H	29.29	36.33				
N	2	08030C	Plumber	H	28.77	35.74				
N	2	08010C	Plumber/Welder	H	28.77	35.74				
N	2	09190C	Sheet Metal Worker	H	28.89	35.88				

Group I (Permanent):

FLSA	OTC	CODE	CLASSIFICATION	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step
N	2	04530C	Foreman, Bricklayer	H	27.41	27.68	27.96	28.25	28.53	28.82
N	2	04560C	Foreman, Carpenter	H	26.12	26.39	26.65	26.92	27.20	27.47
N	2	04760C	Foreman, Painter	H	25.51	25.76	26.02	26.29	26.55	26.82
N	2	05010C	Foreman, Painter-Traffic	H	25.51	25.76	26.02	26.29	26.55	26.82
N	2	04830C	Foreman, Pipefitter	H	29.99	30.30	30.60	30.91	31.22	31.54
N	2	04832C	Foreman, Pipefitter/Instrumentation	H	29.99	30.30	30.60	30.91	31.22	31.54
N	2	04840C	Foreman, Plumber	H	29.79	30.09	30.39	30.70	31.01	31.32
N	2	04860C	Foreman, Plumber/Welder	H	29.79	30.09	30.39	30.70	31.01	31.32
N	2	04850C	Foreman, Plumber Master in charge	H	30.74	31.05	31.36	31.68	32.00	32.32

N	2	04940C	Foreman, Sheet Metal Worker	H	29.38	29.67	29.97	30.28	30.58	30.89
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Section 2. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective July 1, 2001:

BUILDING TRADES (CBT) Effective July 1, 2001

Group I (Permanent Employees Continued):

FLSA	OTC	CODE	CLASSIFICATION	P	Hourly Rate	1st 120 Days Rate
N	2	05760C	Iron Worker	H	29.22	36.25

FLSA	OTC	CODE	CLASSIFICATION	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step
N	2	04680C	Foreman, Iron Worker	H	29.69	29.99	30.29	30.60	30.91	31.22

Section 3. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective May 1, 2001:

CBT - Effective May 1, 2001

Group II (Temporary):

FLSA	OTC	CODE	CLASSIFICATION	P	HOURLY RATE	TAXABLE VACATION	NON- TAXABLE FRINGE BENEFIT	OVER TIME RATE
N	2	C91100	Bricklayer (temporary)	H	24.69	2.68	8.09	37.04
Provided that when working on a swing stage, he/she shall receive an additional 55 cents per hour.								
N	2	C91850	Painter (temporary)	H	24.50	1.00	9.44	36.75
Provided that when a Painter is working on overhead window-jacks, safety belts, structural steel, epoxy, commercial sandblasting, all 2-component paints, bridge work (except for guard rails and inside railings), swing stages (not including scaffolding), and spray painting, he/she shall receive an additional 75 cents per hour. Provided further that painters when performing striping duties between the hours of 12:00 a.m. and 8:00 a.m. shall receive an additional 18.75% premium.								
N	2	C91860	Foreman, Painter (temporary)	H	25.50	1.00	9.44	38.25
N	2	C91860	Foreman, Painter- Traffic (temporary)	H	25.50	1.00	9.44	38.25
N	2	C91900	Pipefitter (temporary)	H	26.86	2.91	9.46	
N	2	C91950	Pipefitter/ Instrumentation (temporary)	H	26.86	2.91	9.46	
N	2	C91110	Foreman, Bricklayer (temporary)	H	27.19	2.68	8.09	40.79
N	2	C91960	Foreman, Pipefitter (temporary)	H	29.11	2.91	9.46	

N	2	C91955	Foreman, Pipefitter/ Instrumentation (temp)	H	29.11	2.91	9.46	
N	2	C92000	Plumber, Plumber/ Welder (temporary)	H	24.65	4.30	9.66	
N	2	C92060	Foreman, Plumber, Plumber/Welder (temp)	H	27.20	4.30	9.66	
N	2	C92070	Foreman, Plumber Master in charge (temp)	H	28.20	4.30	9.66	
N	2	C92150	Sheet Metal Worker (temporary)	H	26.16	2.10	10.56	39.24
N	2	C92160	Foreman, Sheet Metal Worker (temp)	H	28.16	2.10	10.56	42.24

CBT - Effective May 1, 2001

Group II (Temporary) continued:

OVERTIME RATES:

N	2	C91900	Pipefitter (temporary)	H	40.29	4.37	14.19	
N	2	C91950	Pipefitter/ Instrumentation (temporary)	H	40.29	4.37	14.19	
N	2	C91960	Foreman, Pipefitter (temporary)	H	43.67	4.37	14.19	
N	2	C91955	Foreman, Pipefitter/ Instrumentation (temp)	H	43.67	4.37	14.19	
N	2	C92000	Plumber, Plumber/Welder (temporary)	H	36.98	6.45	14.49	
N	2	C92060	Foreman, Plumber, Plumber/Welder (temp)	H	40.80	6.45	14.49	
N	2	C92070	Foreman, Plumber Master in charge (temp)	H	42.30	6.45	14.49	

Section 4. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective June 4, 2001:

CBT - Effective June 4, 2001 - WITH BACKPAY PROVISION (SEE BELOW)

Group II (Temporary):

FLSA	OTC	CODE	CLASSIFICATION	P	HOURLY RATE	TAXABLE VACATION	NON- TAXABLE FRINGE BENEFIT	OVER TIME RATE
N	2	C91150	Carpenter (temporary)	H	25.24	1.82	7.63	37.86

Provided that when a Carpenter is working with material that has been treated with toxic carbolineum or toxic creosote, he/she shall be paid an additional 25 cents per hour.

N	2	C91160	Foreman, Carpenter (temporary)	H	26.99	1.82	7.63	40.49
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BACKPAY PROVISION: Provided that all carpenters, including foremen, shall be paid \$1.85/hour back pay for all hours worked between May 1, 2001, and June 4, 2001.

Section 5. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective July 1, 2001:

CBT - Effective July 1, 2001

Group II (Temporary):

FLSA	OTC	CODE	CLASSIFICATION	P	HOURLY RATE	TAXABLE VACATION	NON- TAXABLE FRINGE BENEFIT	OVER TIME RATE
N	2	C91830	Iron Worker (temporary)	H	25.80	2.65	10.79	42.68
N	2	C91835	Foreman, Iron Worker (temporary)	H	27.80	2.65	10.79	41.70

Provided that new temporary trades personnel, and temporary trades personnel currently on the city payroll not vested in PERA, shall be included in the program to send benefit funds to the Building Trades Trust Funds.

CBT - Effective May 1, 2001

Group II (Temporary) continued:

Apprentice

Provided that Temporary-Apprentice employees shall be paid at a percentage of the prevailing (outside) Journeyman wage rate as provided by the Apprentice Committees for the trade, as follows

Hourly Wage Rates

		Step 1 1st 1000 hours	Step 2 2nd 1000 hours	Step 3 3rd 1000 hours	Step 4 4th 1000 hours	Step 5 5th 1000 hours
Bricklayer	Hourly/Vac. (Taxable)	12.35/2.68	13.58/2.68	16.05/2.68	18.52/2.68	20.99/2.68
	Non-taxable Fringe	8.09	8.09	8.09	8.09	8.09
		Step 6 6th 1000 hours	Step 7 7th 1000 hours	Step 8 8th 1000 hours	Step 9 8000+ hours	
		23.46/2.68				
		8.09				
Sheet Metal Worker Started After 5/1/99	Hourly/Vac (Taxable)	13.52/1.18	14.65/1.18	15.78/1.18	16.91/1.18	18.04/1.18
	Non-taxable Fringe	10.56	10.56	10.56	10.56	10.56

DECEMBER 28, 2001

		19.17/1.18	20.02/1.18	21.15/1.18	24.25/1.18			
		10.56	10.56	10.56	10.56			
		First Year	Second Year	Third Year	Fourth Year	Fifth Year		
Plumber	Hourly/Vac. (Taxable)	11.09/1.65	13.56/1.65	16.02/1.65	18.49/1.65	20.95/1.65		
	Non-taxable Fringe	6.45	6.45	6.45	6.45	6.45		
		First Year	Second Year	Third Year	Fourth Year	Fifth Year		
Pipefitter	Hourly/Vac. (Taxable)	13.97/2.91	17.13/2.91	19.49/2.91	22.25/2.91	25.02/2.91		
	Non-taxable Fringe	7.41	7.41	7.41	7.41	7.41		
		Step 1 1st 1000 hours	Step 2 2nd 1000 hours	Step 3 3rd 1000 hours	Step 4 4th 1000 hours	Step 5 5th 1000 hours	Step 6 6th 1000 hours	Step 7 7th 1000 hours
Painter Started After 5/1/98	Hourly/Vac. (Taxable)	12.25/.81	13.48/1.34	14.70/1.37	17.15/1.43	19.60/1.49	22.05/1.55	24.50/1.61
	Non-taxable Fringe	7.89	7.89	7.89	7.89	7.89	7.89	9.44
			Step 1 0 - 2000 hours	Step 2 2001-4000 hours	Step 3 4001-5000 hours	Step 4 5001-6000 hours	Step 5 6000+ hours	
Painter Started After 6/1/01	Hourly/Vac. (Taxable)		14.70/1.37	17.15/1.43	19.60/1.49	22.05/1.55	24.50/1.61	
	Non-taxable Fringe		7.10	7.10	7.10	7.10	9.44	

CBT - Effective June 4, 2001

Group II (Temporary) continued: Apprentice

Provided that Temporary-Apprentice employees shall be paid at a percentage of the prevailing (outside) Journeyman wage rate as provided by the Apprentice Committees for the trade, as follows:

Hourly Wage Rates

		Step 1 1st 1000 hours	Step 2 2nd 1000 hours	Step 3 3rd 1000 hours	Step 4 4th 1000 hours	Step 5 5th 1000 hours	Step 6 6th 1000 hours	Step 7 7th 1000 hours
Carpenter	Hourly/Vac (Taxable)	11.48/.64	14.00/.64	15.27/.64	16.53/.64	17.79/.64	19.05/.64	20.31/.64
	Non-taxable Fringe	3.43	3.43	3.43	3.43	3.43	4.43	4.43

CBT - Effective July 1, 2001

Group II (Temporary) continued: Apprentice

Provided that Temporary-Apprentice employees shall be paid at a percentage of the prevailing (outside) Journeyman wage rate as provided by the Apprentice Committees for the trade, as follows:

Hourly Wage Rates

		1st-6 months	2nd-6 months	3rd-6 months	4th-6 months	5th-6 months	6th-6 months
Iron Worker	Hourly/Vac. (Taxable)	17.27/2.65	18.69/2.65	20.11/2.65	21.53/2.65	22.96/2.65	24.38/2.65
	Non-taxable Fringe	10.79	10.79	10.79	10.79	10.79	10.79

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval of the labor agreement for the Teamsters, Local #320, 9-1-1 Supervisors' Unit, as more fully set forth in Petn No 267576, which summarizes the major proposed terms of said agreement.

Your Committee further recommends that the proper City officers be authorized to execute a two-year contract to reflect the terms of said agreement, effective July 1, 2001 through June 30, 2003.

Your Committee further recommends passage of the accompanying Salary Ordinance, reflecting the terms of said agreement.

Your Committee further recommends that summary publication of the above-described Salary Ordinance be authorized.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-178, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, to reflect the terms of the labor agreement for the Teamsters, Local #320, 9-1-1 Supervisors' Unit, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-178
By Campbell
1st & 2nd Readings: 12/28/2001

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective as of July 1, 2001, and January 1, 2002, and January 1, 2003, except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, but shall not apply to any employee heretofore separated from the service by voluntary resignation or through fault or delinquency on the part of such employee.

The rates stated herein shall be the annual salary rates unless stated otherwise.

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective July 1, 2001.

**Emergency Communications Supervisors
Effective July 1, 2001**

Job Code	Non Exempt Classifications	FLSA/ OTC	P	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
03930C	Emergency Comm. Asst. Shift Supervisor	N-3	H	19.495	20.475	21.494	22.551	23.699	24.885	26.123
03940C	Emergency Comm. Shift Supervisor	N-3	H	23.144	24.305	25.530	26.793	28.134	-	-

Provided that employees shall receive the following longevity:

- \$0.155 hourly longevity beginning at the 10th year of service.
- \$0.301 hourly longevity beginning at the 15th year of service.
- \$0.363 hourly longevity beginning at the 20th year of service.
- \$0.476 hourly longevity beginning at the 25th year of service.

Provided that employees shall receive the following Shift Differentials:

Employees who are scheduled to work a full shift which begins between the 12:00 noon and 1:29 p.m. shall be paid an additional forty (\$.40) cents per hour for all hours worked on that shift. In addition, should that same employee be authorized to "come in early" or "stay over", working overtime immediately adjacent to such a shift, the forty (\$.40) cent differential shall also be applied to those overtime hours.

Employees who are scheduled to work a full shift which begins between the 1:30 p.m. and 1:59 a.m. shall be paid an additional ninety-five (\$.95) cents per hour for all hours worked on that shift. In addition, should that same employee be authorized to "come in early" or "stay over", working overtime immediately adjacent to such a shift, the ninety-five (\$.95) cent differential shall also be applied to those overtime hours.

Section 2. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2002.

**Emergency Communications Supervisors
Effective January 1, 2002**

Job Code	Non Exempt Classifications	FLSA/ OTC	P	4-month	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
03930C	Emergency Comm. Asst. Shift Supervisor	N-3	H	19.123	20.129	21.141	22.192	23.284	24.469	25.694	26.972
03940C	Emergency Comm Shift Supervisor	N-3	H	22.701	23.896	25.095	26.359	27.664	29.049		

Provided that employees shall receive the following longevity:

- \$0.271 hourly longevity beginning at the 10th year of service.
- \$0.337 hourly longevity beginning at the 15th year of service.
- \$0.403 hourly longevity beginning at the 20th year of service.
- \$0.469 hourly longevity beginning at the 25th year of service.

Provided that employees shall receive the following Shift Differentials:

Employees who are scheduled to work a full shift which begins between the 12:00 noon and 1:29 p.m. shall be paid an additional forty (\$.40) cents per hour for all hours worked on that shift. In addition, should that same employee be authorized to "come in early" or "stay over", working overtime immediately adjacent to such a shift, the forty (\$.40) cent differential shall also be applied to those overtime hours.

Employees who are scheduled to work a full shift which begins between the 1:30 p.m. and 1:59 a.m. shall be paid an additional ninety-five (\$.95) cents per hour for all hours worked on that shift. In addition, should that same employee be authorized to "come in early" or "stay over", working overtime immediately adjacent to such a shift, the ninety-five (\$.95) cent differential shall also be applied to those overtime hours.

Section 3. That the following classifications in Section 20.10.01 of the above entitled ordinance be amended to make the following changes effective January 1, 2003.

**Emergency Communications Supervisors
Effective January 1, 2003**

Job Code	Non Exempt Classifications	FLSA/ OTC	P	4-month	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
03930C	Emergency Comm Asst. Shift Supervisor	N-3	H	19.744	20.783	21.828	22.913	24.041	25.264	26.529	27.849
03940C	Emergency Comm Shift Supervisor	N-3	H	23.439	24.673	25.911	27.216	28.563	29.993		

Provided that employees shall receive the following longevity:

- \$0.280 hourly longevity beginning at the 10th year of service.
- \$0.348 hourly longevity beginning at the 15th year of service.
- \$0.416 hourly longevity beginning at the 20th year of service.
- \$0.485 hourly longevity beginning at the 25th year of service.

Provided that employees shall receive the following Shift Differentials:

Employees who are scheduled to work a full shift which begins between the 12:00 noon and 1:29 p.m. shall be paid an additional forty (\$.40) cents per hour for all hours worked on that shift. In addition, should that same employee be authorized to "come in early" or "stay over", working overtime immediately adjacent to such a shift, the forty (\$.40) cent differential shall also be applied to those overtime hours.

Employees who are scheduled to work a full shift which begins between the 1:30 p.m. and 1:59 a.m. shall be paid an additional ninety-five (\$.95) cents per hour for all hours worked on that shift. In addition, should that same employee be authorized to "come in early" or "stay over", working overtime immediately adjacent to such a shift, the ninety-five (\$.95) cent differential shall also be applied to those overtime hours.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval of the labor agreement for the International Brotherhood of Electrical Workers, Local #292, Technicians' Unit, as more fully set forth in Petn No 267576, which summarizes the major proposed terms of said agreement.

Your Committee further recommends that the proper City officers be authorized to execute a one-year contract to reflect the terms of said agreement, effective January 1, 2000 through December 31, 2000; and further be authorized to execute a three-year contract, effective January 1, 2001 through December 31, 2003.

Your Committee further recommends passage of the accompanying Salary Ordinances, reflecting the terms of said agreement:

- a) Salary Ordinance, effective January 1, 2000 through December 31, 2000; and
- b) Salary Ordinance, effective January 1, 2001 through December 31, 2003.

Your Committee further recommends that summary publication of the above-described Salary Ordinance be authorized.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinances 2001-Or-179 and 2001-Or-180, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, to reflect the terms of the labor agreement for the International Brotherhood of Electrical Workers, Local #292, Technicians' Unit, were passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of these ordinances are available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-179
By Campbell
1st & 2nd Readings: 12/28/2001

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective as of January 1, 2000, except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or delinquency of such employee, but shall not apply to any employee heretofore separated from the service through fault or delinquency on the part of such employee.

The rates stated herein shall be the hourly salary rates unless stated otherwise.

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2000.

ELECTRICAL TECHNICIANS Local 292 (CET)
Effective January 1, 2000

FLSA	OTC	CODE	CLASSIFICATION	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
N	3	03890C	Electronic Technician-C	H	18.077	18.141	18.205	18.295	19.274	20.381	21.450
N	2	10402C	Systems Integrator I-C	H	13.815	14.497	15.218	17.858	18.810	19.892	20.935

Provided that employees in this section shall receive the following longevity:

These payments shall be based on a maximum of 80 hours bi-weekly.

0.216 cents per hour additional at the beginning of the 10th year of Service.

0.278 cents per hour additional at the beginning of the 15th year of Service.

0.340 cents per hour additional at the beginning of the 20th year of Service.

0.402 cents per hour additional at the beginning of the 25th year of Service.

Provided that Electronic Technicians on standby shall receive eight (8) hours pay at one and one-half (1 1/2) times their hourly rate for Monday through Sunday. Time actually worked while on standby shall be over and above the standby pay and paid at the prevailing rate.

In the event of a Monday Holiday the Technician on standby the previous week will be on standby Monday through the Monday holiday and be paid an additional two (2) hours of one and one-half times their hourly rate.

In the event of a midweek holiday or holidays the on call Technician shall be paid an additional hour of one and one-half times their hourly rate for each holiday.

Effective January 1, 1993, add \$0.060 per hour for all permanent employees hired prior to October 15, 1992, until they complete nine years of service.

Provided that a \$0.256 per hour shift differential be paid for shifts which start between the hours of 12:00 p.m. and 6:00 a.m.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-180

By Campbell

1st & 2nd Readings: 12/28/2001

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective as of January 1, 2001, January 1, 2002, and January 1, 2003, except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or delinquency of such employee, but shall not apply to any employee heretofore separated from the service through fault or delinquency on the part of such employee.

The rates stated herein shall be the hourly salary rates unless stated otherwise.

Section 1. That the following classifications in Section 20.10.01 of the above entitled ordinance be amended to make the following changes effective January 1, 2001.

ELECTRICAL TECHNICIANS Local 292 (CET)

Effective January 1, 2001

FLSA	OTC	CODE	CLASSIFICATION	P	4-month STEP	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
N	3	03890C	Electronic Technician-C	H	17.714	18.646	18.712	18.778	18.871	19.881	21.023	22.126
N	2	10402C	Systems Integrator I-C	H	13.538	14.250	14.954	15.697	18.421	19.403	20.519	21.594

Provided that employees in this section shall receive the following longevity:

These payments shall be based on a maximum of 80 hours bi-weekly.

0.223 cents per hour additional at the beginning of the 10th year of service.

0.287 cents per hour additional at the beginning of the 15th year of service.

0.351 cents per hour additional at the beginning of the 20th year of service.

0.415 cents per hour additional at the beginning of the 25th year of service.

Provided that Electronic Technicians on standby shall receive eight (8) hours pay at one and one-half (1 1/2) times their hourly rate for Monday through Sunday. Time actually worked while on standby shall be over and above the standby pay and paid at the prevailing rate. In the event of a Monday Holiday the Technician on standby the previous week will be on standby Monday through the Monday holiday and be paid an additional two (2) hours of one and one-half times their hourly rate.

In the event of a midweek holiday or holidays the on call Technician shall be paid an additional hour of one and one-half times their hourly rate for each holiday.

Effective January 1, 1993, add \$0.060 per hour for all permanent employees hired prior to October 15, 1992, until they complete nine years of service.

Provided that a \$0.264 per hour shift differential be paid for shifts which start between the hours of 12:00 p.m. and 6:00 a.m. Effective November 1, 2001, a \$0.70 per hour shift differential shall be paid for shifts which start between the hours of 12:00 p.m. and 6:00 a.m.

Section 2. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2002.

ELECTRICAL TECHNICIANS Local 292 (CET)

Effective January 1, 2002

FLSA	OTC	CODE	CLASSIFICATION	P	4-month STEP	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
N	3	03890C	Electronic Technician-C	H	18.289	19.252	19.320	19.388	19.484	20.527	21.706	22.845
N	2	10402C	Systems Integrator I-C	H	13.977	14.713	15.440	16.207	19.020	20.034	21.186	22.296

Provided that employees in this section shall receive the following longevity:

These payments shall be based on a maximum of 80 hours bi-weekly.

0.230 cents per hour additional at the beginning of the 10th year of service.

0.296 cents per hour additional at the beginning of the 15th year of service.

0.362 cents per hour additional at the beginning of the 20th year of service.

0.428 cents per hour additional at the beginning of the 25th year of service.

Provided that Electronic Technicians on standby shall receive eight (8) hours pay at one and one-half (1 1/2) times their hourly rate for Monday through Sunday. Time actually worked while on standby shall be over and above the standby pay and paid at the prevailing rate.

In the event of a Monday Holiday the Technician on standby the previous week will be on standby Monday through the Monday holiday and be paid an additional two (2) hours of one and one-half times their hourly rate.

In the event of a midweek holiday or holidays the on call Technician shall be paid an additional hour of one and one-half times their hourly rate for each holiday.

Effective January 1, 1993, add \$0.060 per hour for all permanent employees hired prior to October 15, 1992, until they complete nine years of service.

Provided that a \$0.850 per hour shift differential be paid for shifts which start between the hours of 12:00 p.m. and 6:00 a.m.

Section 3. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2003.

ELECTRICAL TECHNICIANS Local 292 (CET)

Effective January 1, 2003

FLSA	OTC	CODE	CLASSIFICATION	P	4-month STEP	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
N	3	03890C	Electronic Technician-C	H	18.884	19.878	19.948	20.018	20.117	21.194	22.411	23.587
N	2	10402C	Systems Integrator I-C	H	14.431	15.191	15.942	16.734	19.638	20.685	21.875	23.021

Provided that employees in this section shall receive the following longevity:

These payments shall be based on a maximum of 80 hours bi-weekly.

0.237 cents per hour additional at the beginning of the 10th year of service.

0.306 cents per hour additional at the beginning of the 15th year of service.

0.374 cents per hour additional at the beginning of the 20th year of service.

0.442 cents per hour additional at the beginning of the 25th year of service.

Provided that Electronic Technicians on standby shall receive eight (8) hours pay at one and one-half (1 1/2) times their hourly rate for Monday through Sunday. Time actually worked while on standby shall be over and above the standby pay and paid at the prevailing rate.

In the event of a Monday Holiday the Technician on standby the previous week will be on standby Monday through the Monday holiday and be paid an additional two (2) hours of one and one-half times their hourly rate.

In the event of a midweek holiday or holidays the on call Technician shall be paid an additional hour of one and one-half times their hourly rate for each holiday.

Effective January 1, 1993, add \$0.060 per hour for all permanent employees hired prior to October 15, 1992, until they complete nine years of service.

Provided that a \$1.00 per hour shift differential be paid for shifts which start between the hours of 12:00 p.m. and 6:00 a.m.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

WM/Budget - Your Committee recommends that the proper City officers be authorized to execute Amendment #5 to Contract #10529 with the Minneapolis Public Library Board, extending the time of performance for Community Development Block Grant (CDBG) funded activities through May 31, 2002, with all other terms and conditions to remain the same.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends acceptance of donated funds from the non-profit Convention Events Fund, in the amount of \$51,185, to provide payment to the Greater Minneapolis Convention and Visitors Association (GMCVA) for expenses incurred for the following qualifying events:

- a) Ibaraki Sculpture Fund;
- b) Finnfest 2002; and
- c) National Baptist Convention 2001.

Your Committee further recommends passage of the accompanying Resolution increasing the Convention and Visitors Agency Appropriation by \$51,185.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-572

By Campbell

Amending The 2001 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Convention and Visitors Association Agency in the Convention Center Related Fund (0760-864-8642) by \$51,185, and increasing the Convention and Visitors Association Agency revenue estimate in the Convention Center Related Fund (0760-864-8642-Source 3720) by \$51,185.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends concurrence with the recommendation of the City Arts Grants Program Advisory Panel to fund Round 1 art projects by artists, neighborhood/community organizations, and arts organizations, for the amounts specified, as more fully set forth in Petn No 267573 on file in the Office of the City Clerk.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a release and any other documents necessary to terminate the leasehold interests of the City for the property located at 2700 East Lake Street, the Coliseum Building, reserving for future approval any release of claims or damages arising out of the use of the leased space.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a Participation Agreement and Declaration of Trust with the Laborers International Union of North America - National (Industrial) Pension Fund, which will allow Union members to participate in a supplemental pension fund through automatic payroll contributions, as more fully set forth in Petn No 267577 on file in the Office of the City Clerk.

Your Committee further recommends that the Director of Human Resources serve as the authorized officer in the execution of the Standard Form of Participation Agreement and the Agreement and Declaration of Trust.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends passage of the accompanying Resolution setting the salary schedule for 2002 through 2005 for the Mayor and Council Members.

Campbell moved to substitute the following resolution for the above-mentioned resolution. Seconded.

The motion to substitute was adopted upon a voice vote.

The report, with a substituted resolution, was adopted.

Yeas, 11; Nays, 1 as follows:

Yeas - Campbell, Niland, Goodman, Colvin Roy, McDonald, Mead, Lane, Lilligren, Johnson, Ostrow, Cherryhomes.

Nays - Biernat.

Declining to Vote - Schiff

Passed December 28, 2001.

Approved December 28, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 29, 2001)

RESOLUTION 2001R-573

By Campbell

Setting the salary schedule for 2002 through 2005 for the Mayor and Council Members.

Whereas, Laws of Minnesota 1971, Chapter 744, Section 3 authorizes the City Council, by resolution, to fix the annual salary of the Mayor and each Council Member prior to the commencement of the term for which the Mayor and Council Member have been elected; and

Whereas, the City Council last set the salary schedule for the Mayor and Council Members in December of 1997;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the salary schedule for the Mayor and each Council Member for the four-year term commencing January 2, 2002, and ending January 3, 2006, shall be set by adopting a percentage salary increase equivalent to the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W), as established by the Bureau of Labor Statistics. The CPI-W, as of December 31st of each succeeding year in the term, shall be adopted as the percentage salary increase for the salary for the next year for the Mayor and each Council Member.

Be It Further Resolved that the Director of Human Resources is directed and authorized to automatically apply the CPI-W, as of December 31, 2001, for Mayor and Council Member salaries in 2002; and is further authorized to automatically apply the CPI-W by December 31st of each successive year during the term of office, and determine the percentage salary increase for the salary for the next year for the Mayor and each Council Member, without further action of the Council or the Mayor.

Be It Further Resolved that the salary increase shall not exceed 3% in any calendar year.

Adopted. Yeas, 11; Nays, 1 as follows:

Yeas - Campbell, Niland, Goodman, Colvin Roy, McDonald, Mead, Lane, Lilligren, Johnson, Ostrow, Cherryhomes.

Nays - Biernat.

Declining to Vote - Schiff

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 28, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 29, 2001)

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P - Your Committee, having under consideration two vacancies on the Heritage Preservation Commission (HPC), now concurs in the recommendation of the review committee established pursuant to Section 599.120 of the Minneapolis Code of Ordinances, as follows:

a. appoint Todd A Grover, 2109 22nd Av S (Ward 2) to serve a term beginning January 5, 2002 and ending June 1, 2003; completing the unexpired term of Royce Yeater; and

b. appoint Michele W Dunn, 3600 Xerxes Av N (Ward 4) to serve a term beginning January 5, 2002 and ending December 31, 2004, to fill the eleventh position on HPC created by Ordinance 2001-Or-144, passed November 21, 2001. (Petr No 267586)

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z & P - Your Committee, having under consideration the application of Victoria Stovall (Jamaica Jamaica Restaurant) for a waiver from Interim Ordinance 2001-Or-027, passed March 2, 2001, and extended by Ordinance 2001-Or-136 passed October 30, 2001, providing for a moratorium on the establishment, reestablishment or expansion of any commercial or industrial use along West Broadway Avenue from City Limits on the west to the intersection of West Broadway and Girard Avenues on the east, extending 150 feet on each side of the center line of West Broadway, and including the area bounded by a one-fourth mile radius around the intersection of West Broadway and Penn Avenues, to operate a restaurant/delicatessen at 2715 W Broadway Av, and having conducted a public hearing thereon, now recommends that said application for waiver of moratorium be denied because the owner of the property does not support the application. (Petr No 267582)

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the appeal of University of St Thomas (UST) from the decision of the Planning Commission denying a variance to increase the number of parking stalls in a surface parking lot in the Downtown Parking Overlay District from 20 to 110, where 90 of the stalls are grandfathered, and where said parking lot is part of a law school, outdoor plaza and parking lot project at 1125 Harmon Place (BZZ-347), and having conducted a public hearing thereon, now recommends that the appeal be granted and the application for variance be approved, notwithstanding the decision of the Planning Commission.

Your Committee further recommends that the Conditional Use Permit to allow the surface parking lot, which was approved by the Planning Commission on November 19, 2001, be amended by deleting the condition that there shall be no more than 90 parking stalls. (Petr No 267582)

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the application of Terrance Lappin and George Heinrich (Vac #1368) to vacate part of the north one-half of 7th St S between the southwest extension of Lot 4, Block 16, Atwaters Addition, and the Hennepin County Railroad Authority, to provide access and greenspace for an existing structure at 1518 S 7th St, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 267582 and to grant said vacation, subject to retention of easement rights by Xcel Energy and the City of Minneapolis.

Your Committee further recommends passage and summary publication of the accompanying resolution vacating said alley.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-574, entitled "Vacating part of the North 1/2 of 7th Street South between the Southwest extension of Lot 4, Block 16, Atwaters Addition and the Hennepin County Railroad Authority. (Vac #1368)," was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2001R-574

By McDonald

Vacating part of the North 1/2 of 7th Street South between the Southwest extension of Lot 4, Block 16, Atwaters Addition and the Hennepin County Railroad Authority. (Vac #1368).

Resolved by The City Council of The City of Minneapolis:

That all that part beginning at the most Westerly corner of Lot 4, Block 16, Atwaters Addition to the Town of Minneapolis; thence South 30 degrees 46 minutes 45 seconds West, on an assumed bearing, along the Southwesterly extension of the Northwesterly line of said Lot 4 a distance of 40.00 feet to the center line of 7th Street South; thence South 59 degrees 09 minutes 54 seconds East along the center line of 7th Street South a distance of 16.08 feet; thence on a non-tangential curve concave to the South having a radius of 123.00 feet and a chord bearing of South 80 degrees 44 minutes 35 seconds East a distance of 76.76 feet to the Southwesterly right of way line of the Hennepin County Regional Railroad Authority; thence North 26 degrees 08 minutes 54 seconds West along said right of way line a distance of 22.44 feet to the Southwesterly line of Lot 5, Block 16, Atwaters Addition to the Town of Minneapolis; thence North 59 degrees 09 minutes 54 seconds West, along the Southwesterly line of said Lots 5 and 4 a distance of 67.53 feet to the point of beginning is hereby vacated except that such vacation shall not affect the existing easement right and authority of the City of Minneapolis and Xcel Energy, their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporations as follows, to wit:

As to the City of Minneapolis:

Water Line Maintenance Easement: The City will retain an easement for water line maintenance purposes over, under and across the Southwesterly 30 feet of the vacated area.

As to Xcel Energy:

The Northeast 1/2 of Seventh Street between the Southwest extension of the Northwest line of Lot 4, Block 16, Atwaters Addition to the Town of Minneapolis.

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities, and said easement right and authority is hereby expressly reserved to each of the above-named corporations and the City of Minneapolis, and no other person or corporation shall have the right to fill, excavate, erect

buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within the above-described areas without first obtaining the written approval of the corporations and the Director of Public Works of the City of Minneapolis having utility facilities located within the area involved authorizing them to do so.

Where the area described above in regard to any of the other corporations, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation or corporations shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if this street had not been vacated.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z & P - Your Committee, to whom was referred an ordinance amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to *Zoning Code: Administration and Enforcement*, concerning required findings for variance and variance of development standards, now concurs in the recommendation of the Planning Commission that the related findings set forth in Petn No 267589 be adopted and that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends that said ordinance be published in summary form.

McDonald moved to substitute a new ordinance for the above-mentioned ordinance. Seconded.

Adopted upon a voice vote.

The report, with a substitute ordinance, was adopted.

Yeas, 12; Nays none.

Declining to vote - Niland.

Passed December 28, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-181, amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to *Zoning: Administration and Enforcement* was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. Section 1 of the ordinance relates to the findings which the Board of Adjustment is required to make before approving a variance, and makes those findings match more closely to State Statute, especially as they concern undue hardship. The findings relate to reasonable use of the lot, unique character of the lot, and not altering the character of the locality. Section 2 of the ordinance relates to Varying Specific Development Standards and Accessory Uses and Structures (of Chapters 536 and 537, respectively), and adds provision that specific minimum distance and spacing requirements may be varied only to allow increased spacing between such uses. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2001-Or-181

By McDonald

Intro & 1st Reading: 9/14/2001

Ref to: Z&P

2nd Reading: 12/28/2001

Amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to Zoning Code: Administration and Enforcement.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 525.500 of the above-entitled ordinance be amended to read as follows:

525.500. Required findings. The board of adjustment shall not vary the regulations of the zoning code, unless it makes each of the following findings based upon the evidence presented to it in each specific case:

- (1) ~~Because of the particular physical surroundings, or the shape, configuration, topography or other conditions of the specific parcel of land involved, The property cannot be put to a reasonable use under the conditions allowed by the official controls and strict adherence to the regulations of this zoning ordinance would cause undue hardship. Economic consideration alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.~~
- (2) ~~The conditions upon which a petition for a variance is based~~ The circumstances are unique to the parcel of land for which the variance is sought and ~~are not applicable, generally, to other property within the same zoning classification have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.~~
- (3) ~~The alleged difficulty or hardship is caused by the zoning ordinance and has not been created by any persons presently having an interest in the parcel of land.~~
- (4)(3) The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity in which the parcel of land is located or substantially diminish property values.
- (5)(4) The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.

Section 2. That Section 525.520(22) of the above-entitled ordinance be amended to read as follows:

525.520. Authorized variances. Variances from the regulations of this zoning ordinance shall be granted by the board of adjustment only in accordance with the requirements of section 525.500, and may be granted only in the following instances, and in no others:

- (22) To vary the development standards of Chapter 536, Specific Development Standards and Chapter 537, Accessory Uses and Structures, ~~except that for specific minimum distance and spacing requirements~~ may be varied only to allow for the relocation of an existing use where the relocation will increase the spacing between such use and any use from which it is nonconforming as to spacing, or will increase the distance between such use and any protected boundary or use from which it is nonconforming as to distance.

Adopted. Yeas, 12; Nays, 1 as follows:

Yeas - Campbell, Biernat, Goodman, Colvin Roy, McDonald, Mead, Lane, Lilligren, Johnson, Schiff, Ostrow, Cherryhomes.

Declining to vote - Niland.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z & P - Your Committee, to whom was referred an ordinance amending Title 20, Chapter 549 of the Minneapolis Code of Ordinances relating to *Zoning Code: Downtown Districts*, creating new floor area ratio bonus for high efficiency buildings downtown, now concurs in the recommendation of the Planning Commission that the related findings set forth in Petn No 267589 be adopted and that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends that said ordinance be published in summary form.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-182, amending Title 20, Chapter 549 of the Minneapolis Code of Ordinances relating to *Zoning: Downtown Districts*, was passed December 28, 2001 by the City Council and approved December 31, 2001 by the Mayor. The amendment provides a floor area ratio (FAR) (gross floor area of a building divided by the area of the zoning lot) premium for high performance buildings within the downtown zoning districts (B4, B4S, and B4C). The Zoning Code includes FAR limits for the downtown districts to control building height and density. The amendment offers an FAR premium of

one and two for buildings that are designed to be respectively 35% and 45% more efficient than the Energy Code. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete copy of the unpublished summarized ordinance.

ORDINANCE 2001-Or-182
By McDonald and Campbell
Intro & 1st Reading: 3/2/2001
Ref to: Z&P
2nd Reading: 12/28/2001

Amending Title 20, Chapter 549 of the Minneapolis Code of Ordinances relating to Zoning Code: Downtown Districts.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 549.200 of the above-entitled ordinance be amended by adding a new Subdivision (12), and adding premiums to Table 549-4, to read as follows:

549.220. Floor area ratio premiums. The following floor area ratio premiums shall be available as specified in Table 549-4, Maximum Floor Area Ratio Premiums in the Downtown Districts, subject to the provisions of this article, provided all other requirements of this zoning ordinance are met:

(12) Energy efficiency, subject to the following standards:

- a. Submission of a High Performance Building Plan. The applicant shall submit a High Performance Building Plan that includes all information to demonstrate to the satisfaction of the Planning Director a minimum of thirty-five (35) percent increase in overall building energy efficiency as compared to the Minnesota Energy Code. The demonstration shall include all reports, modeling, and approval processes described in the High Performance Building Policy Guide.
- b. Energy-saving strategies that are missing must be brought to design specification or installed within ninety (90) days of the city's verification report or submittal to the city of a third-party commissioning report by a licensed engineer. As an alternative to the above, the developer of a building that is not in compliance with the approved energy efficiency premium can mitigate the deficiency through alternative actions as defined in the High Performance Building Policy Guide.
- c. The energy efficiency measures shall be maintained in good working order for the life of the principle structure.

Table 549-4 Maximum Floor Area Ratio Premiums in the Downtown Districts1

TABLE INSET:

Premium Type	Zoning District and Premium Value			
	B4-2	B4-1 & B4S-2	B4S-1	B4C-1, 2
<u>Energy efficiency @ 35%</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>
<u>Energy efficiency @ 45%</u>	<u>2.0</u>	<u>2.0</u>	<u>2.0</u>	<u>2.0</u>

Section 2. That Section 549.230 of the above-entitled ordinance be amended by adding thereto a new Subdivision (10) to read as follows:

549.230. Limitations on premiums. The following limitations shall apply to floor area ratio premiums:

(10) A zoning lot shall not qualify for more than one (1) energy efficiency premium.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee concurs in the recommendation of the Planning Commission that David Fields, 719 E 16th St, #303 (Ward 7); John Finlayson, 5005 Zenith Av S (Ward 13); and Peter Rand, 1728 Humboldt Av S (Ward 7) be reappointed to the Zoning Board of Adjustment, each for a 3-year term to expire December 31, 2004. (Petr No 267582)

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the Franklin-Cedar/Riverside Transit Oriented Development Master Plan (the Plan) set forth in Petr No 267588, now recommends concurrence in the recommendation of the Planning Commission, as follows:

1. Adopt the Master Plan, identifying as guidelines its recommendations for land uses, density, public infrastructure, and design, with the understanding that illustrative Plan drawings do not represent specific development plans. The City will support creative proposals that build upon neighborhood strengths, consider the relationship of existing development with new development, and meet the density and urban design goals addressed in the Plan.

2. Direct staff to submit amendments to the Minneapolis Plan to reflect the 1/2 mile radius station area as "Rail Transit Planning Areas (RTPA)". The amendments shall articulate and summarize general transit oriented development planning principals, and also identify specific objectives for the Franklin and Cedar/Riverside Station Areas.

3. Direct staff to develop a regulatory implementation plan for the station area to develop statutory consistency between the Comprehensive Plan and land use controls. Principally, this shall include the adoption, of a Rail Transit Overlay District. These provisions should govern factors related to allowable land uses; minimum and maximum FAR's; minimum and maximum heights; building placement, orientation, and design; and limits on parking ratios.

4. Direct staff to complete analysis of underlying zoning for the Franklin and Cedar/Riverside RTPAs, and to forward any recommendations for changes.

5. Adopt, as guidelines, recommended changes, additions, or standards related to streets, sidewalks, bicycle facilities and pedestrian ways and guidelines, and direct staff to work with implementation partners to program long-range capital improvements, including but not limited to the following recommended infrastructure projects:

- a. Franklin Av between Cedar Av and Bloomington Av;
- b. Cedar Av at Highway 55 underpass (East Phillips);
- c. 6th St/15th Av/Riverside Av west of Cedar;
- d. 20th Av pedestrian and bicycle crossing of Cedar-Minnehaha intersection;
- e. 15th Av (from Riverside/4th St connection).

6. Direct staff to work with other partners (Metro Transit, Park Board, private landowners, etc) on the following initiatives:

- a. Maintain permanent green space and open area on the northwest corner of Cedar Av and 6th St S;
- b. Require built structures and/or public art or signage to promote better visibility and way-finding between the station "front door" (6th St and 16th Av) and Cedar Av;
- c. Remove Currie Park berm to open views to downtown, add trail head/downtown gateway element;
- d. Sponsor signage indicating public paths through Riverside Plaza complex to the short pedestrian way that extends along the east side of the complex from the 5th St pedestrian way crossing to 6th St.
- e. Create a pedestrian way from Cedar Av at 3rd St S to Riverside Av along the former 16th Av alignment;
- f. Bus turnaround/plaza at terminus of 16th Av and LRT line.

7. Direct staff to forward recommendation for further study between Hennepin County Public Works, Planning Department and Public Works transportation and other partners (e.g. MnDOT), as appropriate, on the following matters:

- a. Franklin/Cedar/Minnehaha/20th Av intersection;

b. Bridge connection from East Phillips park to Cedar Box/Ambles site (to be implemented if redevelopment occurs on the site).

8. Direct City Planning and Minneapolis Community Development Agency staff to develop strategies for redevelopment efforts, including the following:

a. Identification of immediate development opportunities consistent with the Plan, but less encumbered by issues of land assembly or infrastructure;

b. Identification of redevelopment priorities based on criteria such as economies of scale, available funding sources, magnitude of public benefit, magnitude of impediments to station area plan implementation, and community support.

Niland moved to amend the report by adding the following language at the end:

9. Amend the Master Plan on page 48, under the Cedar-Riverside Station (H) paragraph, by deleting the last sentence and inserting in lieu thereof the following language: The existing building at 15th Avenue and 6th Street (formerly Vinnie's restaurant), and the brick Italian Renaissance Revival trapezoid building at 1516-18 7th Street South should be preserved. And to clarify that 1516-18 7th Street South and 1504 7th Street South, currently identified in the station area plan as "transit oriented uses" will not be acquired now or in the future, for development, by eminent domain.

Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Declining to Vote - Biernat.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the 46th and Hiawatha Station Area Master Plan as set forth in Petn No 267587, now concurs in the recommendation of the Planning Commission, as follows:

1. Adopt the Master Plan, identifying as guidelines its recommendations for land uses, density, public infrastructure and design, with the following stipulations:

a. Townhouse development to the west of the Light Rail Transit (LRT) station site will be more constrained than is indicated in the Consensus Plan map. The "Release for Construction" station site plan set forth in Petn No 267587 illustrates this. Development opportunities to the west of the station proper should be limited to a mixed-use, multiple floor building(s) consistent with Transit oriented development principals (TOD) in the Plan. Design should be particularly sensitive to context at this location, due to its adjacency to single family homes. Use of air rights over portions of the station should be explored to accommodate designs and densities that are supported by the Plan.

b. The placement of buildings on the Consensus Plan is illustrated for conceptual reasons, and does not represent a specific development plan. The City will support creative proposals that build upon neighborhood strengths, consider the relationship of existing development with new development, and meet the density and urban design goals addressed in the Plan.

2. Direct staff to submit amendments to the Minneapolis Plan to reflect the 1/2-mile radius station area as a "Rail Transit Planning Area (RTPA)". These amendments shall articulate and summarize general transit oriented development planning principals, but also identify specific objectives for the 46th St Station Area.

3. Direct staff to develop a regulatory implementation plan for the station area to develop statutory consistency between the Comprehensive Plan and land use controls. Principally, this shall include the adoption of a Rail Transit Overlay District (RTOD). These provisions should govern factors related to allowable land uses; minimum and maximum FAR's; minimum and maximum heights; building placement, orientation, and design; and limits on parking ratios.

4. Direct staff to complete an analysis of underlying zoning for the 46th St RTPA, including forwarding recommendations for changes, if any.

5. Adopt, as guidelines, recommended changes, additions, or standards related to streets, sidewalks, bicycle facilities and pedestrian ways. Direct City staff to work with implementation partners, to program long-range capital improvements. These include, but are not limited to, the following recommended infrastructure projects:

- a. Extension of Snelling Av through Sub Area I, including signalized intersection at 46th St;
- b. Other public rights-of-way through Sub Area I, addressing access control and the provision of on-street parking (e.g., diagonal on-street parking);
- c. Public easements or rights-of-way to facilitate continuous vehicle travel along the western side of the rail corridor north of 46th St, serving the proposed office/convertible space district;
- d. Acquisition of land for Town Square, if not part of public right-of-way acquisition;
- e. Use-rights for or acquisition of rail and power line corridor easements;
- f. Public parks or open space features consistent with the Plan's open space analysis.

6. Direct City staff to work with Xcel Energy and other partners (e.g., Mn/DOT, Met Council) to identify feasibility, costs, funding sources, and potential timeframe for consolidation or movement of power transmission and distribution lines in station area.

7. Direct staff to work with partners (e.g., Metropolitan Council, Minnehaha Creek Watershed District, DNR, Park Board, private utilities, railroads, private landowners, etc) on the following initiatives:

- a. Creation of a stormwater/bioswale/environmental features where new land uses are constrained by the presence of the rail/power line corridor;
- b. Identification of ownership and/or responsibilities for maintenance of public spaces and environmental features;
- c. Address stormwater management issues throughout the station area, including interim and long-range strategies to meet the density and design goals of the master plan, including the station site.

8. Direct staff to work on inter-agency team (e.g., Mn/DOT, Hennepin County, Minneapolis Public Works, Minneapolis Planning) to improve pedestrian comfort, safety, and convenience while crossing Hiawatha, including the following:

- a. Continued evaluation of alternatives to at-grade crossing of Hiawatha (e.g., overpasses/underpasses);
- b. Further evaluation of traffic calming alternatives (as indicated in the Plan) for Trunk Highway 55 in the station area, particularly at its intersection with 46th St.

9. Direct City Planning and Minneapolis Community Development Agency staff to develop strategies for redevelopment efforts, including the following:

- a. Identification of immediate development opportunities consistent with the Plan, but less encumbered by issues of land assembly or infrastructure. This may include publicly owned land such as the Public Works site and the station site;
- b. Identification of redevelopment priorities based on criteria such as economies of scale, available funding sources, magnitude of public benefit, magnitude of impediments to station area plan implementation, and community support.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee recommends granting the application of David Choate for a special permit to construct a replacement McDonalds Restaurant with drive through at 407 15th Av SE, according to the site plan submitted on October 11, 2001, pending final approval of site plan by the Planning Department, notwithstanding the Zoning Code (#2001-169).

Campbell moved that the report be amended by inserting after the words "site plan" the words "and conditional use plan". Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 10; Nays, 3 as follows:

Yeas - Campbell, Biernat, Niland, Goodman, Colvin Roy, McDonald, Lilligren, Johnson, Schiff, Cherryhomes.

Nays - Mead, Lane, Ostrow.
Passed December 28, 2001.
Approved December 31, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

Z&P - Your Committee concurs in the recommendation of the Heritage Preservation Commission (HPC) to approve the application of RSP Architects for a historic variance at Grain Belt Brewery, 1220 Marshall St NE to allow the Boiler House, the Brew House atrium and the five Brew House conference rooms to be used as a reception/meeting hall as a principal use under the property's I1 zoning and to vary the parking requirement for the proposed reception/meeting hall use to zero parking spaces, subject to the following conditions:

1. The Boiler House shall be rehabilitated pursuant to the applicable guidelines of the HPC. Such rehabilitation work shall be approved by the HPC and shall be completed within 3 years from the date of this action, and if not completed the variance shall terminate.

2. The maximum allowed capacity of the meeting/reception hall use shall be 470 persons.

3. The above described reception/meeting hall use shall be limited to the following hours:

Monday through Friday, from 6:00 p.m. to 1:00 a.m.

Saturday and Sunday, from 6:00 a.m. to 1:00 a.m.

On days when the principal office use in the Brew House is not open,
6:00 a.m. to 1:00 a.m.

4. If the property ceases to be used as a reception/meeting hall, the historic variance shall terminate.

(Petr No 267586)

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee recommends that the proper City officers be authorized to settle the matter of VoiceStream Minneapolis, Inc. f/k/a APT Minneapolis, Inc. vs. City of Minneapolis by approving the requested conditional use permit for a communications tower and antenna at 5400 Penn Avenue South and that the City Attorney's Office be authorized to execute any documents necessary to effectuate the settlement and release of claims. (Petr No 267583)

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

MOTIONS

Cherryhomes moved to amend Resolution 2000R-332 creating a Community Oversight Committee, adopted on July 14, 2000, by dissolving the Community Oversight Committee. Seconded.

Adopted. Yeas, 7; Nays, 4 as follows:

Yeas - Campbell, Biernat, Niland, Goodman, Colvin Roy, McDonald, Cherryhomes.

Nays - Lilligren, Johnson, Schiff, Ostrow.

Declining to Vote - Mead, Lane.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Cherryhomes moved that the Council action of April 24, 1998, approving the Community Development and Ways & Means/Budget report which recommended creation of a Hollman action plan implementation structure, as set forth in Petition No. 263689, now recommends that the Hollman Action Plan Implementation Committee created as directed by the City Council be dissolved, all actions for which the Committee was created having been accomplished. Seconded.

Adopted. Yeas, 7; Nays, 4 as follows:

Yeas - Campbell, Biernat, Niland, Goodman, Colvin Roy, McDonald, Cherryhomes.

Nays - Lilligren, Johnson, Schiff, Ostrow.

Declining to Vote - Mead, Lane.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ostrow moved to set a public hearing in the Ways & Means/Budget Committee meeting on January 14, 2002, at 1:00 p.m. in Room 132 City Hall. Seconded.

Adopted upon a voice vote.

RESOLUTIONS

Colvin Roy offered the following Resolution.

RESOLUTION 2001R-583

Supporting reappointment of Pamela Blixt to the Minnehaha Creek Watershed District (MCWD) Board of Managers.

Whereas, the City of Minneapolis lies partially within the Minnehaha Creek Watershed District; and
Whereas, Pamela Blixt currently serves as the President of the Minnehaha Creek Watershed District Board of Managers, and her term expires in March 2002; and

Whereas, as President of the MCWD, Pamela Blixt has worked hard to improve relationships between cities and the watershed district, and has worked hard to protect water resources throughout the watershed;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Minneapolis City Council hereby supports the reappointment of Pamela Blixt by the Hennepin County Board of Commissioners to the MCWD Board of Managers for another three year term.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

UNFINISHED BUSINESS

Z&P - Your Committee, having under consideration the applications of Minneapolis Stone Arch Partners, LLC (ZZ-186) to vacate that part of 8th Av SE lying north of Main St SE (Vac #1351) and to vacate that part of Main St SE lying between 6th Av SE and 8th Av SE (Vac #1352) to allow a planned unit development, including a 265 unit apartment building in Phase I and approximately 45 owner-occupied units in Phase II, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 267330 and to grant said vacations, subject to the following conditions:

- 1) approval of the rezoning and site plan review applications;
- 2) retention of easement rights by Xcel and Qwest with respect to Vac #1351;
- 3) retention of easement rights by Xcel, Qwest and Minnegasco with respect to Vac #1352; and
- 4) that this action will not affect any private easement agreements that are independent of the City's right-of-way interest.

Your Committee further recommends passage of the accompanying resolutions vacating said streets and publication of the resolution in summary form.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-584

By McDonald

Vacating a part of 8th Avenue SE lying North of Main Street SE (Vac #1351)

Resolved by The City Council of The City of Minneapolis:

That all that part of 8th Avenue SE lying North of Main Street SE is hereby vacated except that such vacation shall not affect the existing easement right and authority of Xcel and Qwest their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporations as follows, to wit:

As to Xcel: The part of 8th Avenue SE lying North of Main Street SE.

As to Qwest: The part of 8th Avenue SE lying North of Main Street SE.

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within the above-described areas without first obtaining the written approval of the corporations having utility facilities located within the area involved authorizing them to do so.

Where the area described above in regard to any of the other corporations, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation or corporations shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if this street had not been vacated.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-585

By McDonald

Vacating a part of Main Street lying between 6th and 8th Avenues SE (Vac #1352).

Resolved by The City Council of The City of Minneapolis:

That all that part of Main Street lying between 6th and 8th Avenues SE is hereby vacated except that such vacation shall not affect the existing easement right and authority of Minnegasco, Xcel and Qwest their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to each of said corporations as follows, to wit:

As to Minnegasco: The southerly 50.00 feet of the northerly 60.00 feet of that part of Main Street which lies easterly of the easterly right-of-way line of 6th Avenue SE and westerly of the easterly right-of-way line of 8th Avenue SE.

As to Xcel: The part of Main Street lying between 6th and 8th Avenues SE.

As to Qwest: The part of Main Street lying between 6th and 8th Avenues SE.

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within

the above-described areas without first obtaining the written approval of the corporations having utility facilities located within the area involved authorizing them to do so;

Where the area described above in regard to any of the other corporations, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation or corporations shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if this street had not been vacated.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Biernat moved that the City Council recess for ten minutes for the purpose of moving to the newly renovated Council Chamber. Seconded.

Adopted upon a voice vote.

The Council recessed at 10:20 a.m.

The Council reconvened at 10:40 a.m. in the Council Chamber, Room 317 City Hall.

Vice President Biernat in the Chair.

Present - Council Members Campbell, Biernat, Niland, Goodman, Colvin Roy, McDonald, Mead, Lane, Lilligren, Johnson, Schiff, Ostrow, Cherryhomes.

Also present - Mayor Sayles Belton.

Biernat presented Mayor Sayles Belton, Council President Cherryhomes and Council Members Campbell, Niland, McDonald and Mead, and former Council Member Thurber, and Colleen Moriarty, the Mayor's Chief of Staff, with the following resolutions in recognition of their service to the City of Minneapolis.

Ostrow, Campbell, Biernat, Johnson, Cherryhomes, Niland, Goodman, Lilligren, Schiff, McDonald, Mead, Colvin Roy and Lane offered a Resolution honoring Mayor Sharon Sayles Belton.

(Not Published. See Resolution 2001R-575 on file in the office of the City Clerk.)

Ostrow, Campbell, Biernat, Johnson, Niland, Goodman, Lilligren, Schiff, McDonald, Mead, Colvin Roy and Lane offered a Resolution honoring Council President Jackie Cherryhomes.

(Not Published. See Resolution 2001R-576 on file in the office of the City Clerk.)

Ostrow, Biernat, Johnson, Cherryhomes, Niland, Goodman, Lilligren, Schiff, McDonald, Mead, Colvin Roy and Lane offered a Resolution honoring Council Member Joan Campbell.

(Not Published. See Resolution 2001R-577 on file in the office of the City Clerk.)

Ostrow, Campbell, Biernat, Johnson, Cherryhomes, Goodman, Lilligren, Schiff, McDonald, Mead, Colvin Roy and Lane offered a Resolution honoring Council Member Jim Niland.

(Not Published. See Resolution 2001R-578 on file in the office of the City Clerk.)

Ostrow, Campbell, Biernat, Johnson, Cherryhomes, Niland, Goodman, Lilligren, Schiff, Mead, Colvin Roy and Lane offered a Resolution honoring Council Member Lisa McDonald.

(Not Published. See Resolution 2001R-579 on file in the office of the City Clerk.)

Ostrow, Campbell, Biernat, Johnson, Cherryhomes, Niland, Goodman, Lilligren, Schiff, McDonald, Colvin Roy and Lane offered a Resolution honoring Council Member Doré Mead.

(Not Published. See Resolution 2001R-580 on file in the office of the City Clerk.)

Ostrow, Campbell, Biernat, Johnson, Cherryhomes, Niland, Goodman, Lilligren, Schiff, McDonald, Mead, Colvin Roy and Lane offered a Resolution honoring former Council Member Kathy Thurber.

(Not Published. See Resolution 2001R-581 on file in the office of the City Clerk.)

Ostrow, Campbell, Biernat, Johnson, Cherryhomes, Niland, Goodman, Lilligren, Schiff, McDonald, Mead, Colvin Roy and Lane offered a Resolution honoring Colleen Moriarty, the Mayor's Chief of Staff.

(Not Published. See Resolution 2001R-582 on file in the office of the City Clerk.)

The above honorary resolutions were adopted.

Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The following are the complete text of unpublished resolutions:

RESOLUTION 2001R-575

**By Ostrow, Campbell, Biernat, Johnson, Cherryhomes, Niland, Goodman,
Lilligren, Schiff, McDonald, Mead, Colvin Roy and Lane**

Acknowledging Sharon Sayles Belton's eight years of service as the Mayor of The City of Minneapolis.

Whereas, Mayor Sayles Belton was elected Mayor of Minneapolis in November 1993, was re-elected in November 1997, and took office in January 1994 and 1998; and

Whereas, Mayor Sayles Belton's leadership in public safety has been recognized by the Minneapolis Police Department as instrumental in reversing Minneapolis' serious crime rates to the lowest levels in 34-years; and

Whereas, Mayor Sayles Belton made critical investments in the revitalization of Minneapolis neighborhoods and communities, restoring pride and confidence in citizens and inspiring people to move back to Minneapolis neighborhoods; and

Whereas, Mayor Sayles Belton rallied public support for the Minneapolis Public Schools and Minneapolis Public Library referendums; and

Whereas, Mayor Sayles Belton strengthened downtown Minneapolis as a financial center and employer, resulting in an increase in the City's tax base by 84 percent and the creation or preservation of over 43,000 jobs; and

Whereas, Mayor Sayles Belton championed the development and renaissance of the Mississippi riverfront through housing development, park planning and historical designation; and

Whereas, Mayor Sayles Belton has always held the people of Minneapolis at the center of her mission and led numerous partnerships for the healthy development of children, to strengthen families and provide opportunities for employment and housing; and

Whereas, Mayor Sayles Belton leaves office with her commitment to improving the lives of Minneapolis' families and children firmly intact, and a love for this great city forever in her heart;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That we thank Sharon Sayles Belton for her leadership, her friendship, and her exemplary record of both commitment and achievement as Mayor of the City of Minneapolis.

Be it further resolved that we hope the future holds much success and happiness for Sharon Sayles Belton and her family.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-576

**By Ostrow, Campbell, Biernat, Johnson, Niland, Goodman, Lillegren,
Schiff, McDonald, Mead, Colvin Roy and Lane**

Honoring Jackie Cherryhomes for her service to the City of Minneapolis

Whereas, Jackie Cherryhomes has been a resident of and an untiring advocate for the Northside community for over 20 years, has served on the Minneapolis City Council representing Ward Five since 1990, and for the past eight years as the City Council President; and

Whereas, the City of Minneapolis has experienced unprecedented growth in employment with 150,000 people working in Downtown Minneapolis, and a subsequent reduction in the crime rate to a thirty-year low, two statistics that Council Member Cherryhomes insists are related; and

Whereas, during her term in office, Jackie Cherryhomes was both praised and criticized for her unique ability to put Downtown Minneapolis development deals together; and

Whereas, the city purchase of the Target Center in the Warehouse District, The Milwaukee Depot Redevelopment, the State, Orpheum, Pantages, and Schubert Theater renovation projects, the addition of a downtown Target Store, and Block E, are examples of job producing developments that will enrich the quality of life for the whole metropolitan area, which would not have gotten done without the leadership of Jackie Cherryhomes and like-minded council members and Mayor Sharon Sayles Belton; and

Whereas, Jackie Cherryhomes was able to bring jobs even closer to her Fifth Ward residents through her vision of reclaiming North Washington Avenue from the scrap yards and creating the North Washington Jobs Park, which has brought over five hundred new jobs to the community, and worked tirelessly on the Minneapolis Urban League's Capital Campaign Committee to help raise the necessary private, city and state funds needed to enable them to build their new landmark headquarters at Penn and Plymouth Avenues North which will continue to serve the citizens of Minneapolis for many years to come; and

Whereas, there are major new mixed-income residential and commercial projects in the Fifth Ward's previously undeveloped North Mississippi Loop, the former public housing projects in the Near North, and at the old automobile dealership in the Nicollet Island East Bank Neighborhood in Northeast Minneapolis, which have already attracted residents from throughout the metropolitan area, helping to reverse a fifty-year downward slide in our city's population; and

Whereas, Hertitage Park, former site of Minneapolis Public Housing projects in the Near North Neighborhood, promises to be a national development model of a culturally and economically diverse community, where residents choose to live together with new park and trail amenities in an inner city location just west of the downtown loop; and

Whereas, the livability of our neighborhoods has improved immensely through partnership with CCP/SAFE and Block Club leaders, we have used Rental Property Licensing and Conduct on Premises to deal with irresponsible landlords and stabilize our neighborhoods; and

Whereas, the condition and market value of existing housing in the ward is at an all-time high, through the NRP and MCDA, with almost \$50 million in home improvement loans having been made to North Minneapolis residents, preserving our homes for future generations, the renovation and construction of over 200 homes, that are occupied by young families, 80% of whom are first time home buyers, and more than \$21 million of city resources and \$6 million of privately leveraged funds have been invested in renovating 784 affordable housing units in the Fifth Ward; and

Whereas, during Jackie Cherryhome's term in office, livable wage and affordable housing policies were adopted to assist wage earning families to afford to live and raise families in Minneapolis, and Ward Five small businesses were assisted with a total of \$11 million in loans, and through the formation of the Flipping Task Force, thirty five families with a sum total of ninety children were assisted in refinancing their home mortgages at favorable interest rates, lowering the average mortgage payment by over \$300 per month thus saving their homes from foreclosure and being able to maintain stable and affordable housing for themselves and their families; and

Whereas, to help residents get to work, to reduce our dependence on foreign oil and to improve the environment, Light Rail Transit is finally being built, the Metro Transit bus system is being expanded, Commuter Rail is being supported by the city to provide additional transportation options, and Minneapolis leads the nation in the percentage of people who commute to work by bicycle; and

Whereas, at the end of the year 2001, Minneapolis still has all of our sports teams, has sound financial management as illustrated by two triple "A" bond ratings, a new state-of-the-art water membrane filtration plant on order, a Convention Center expansion and a downtown property tax base that pays about 45% of our total property tax bill, and we have even earned the grudging respect of some Republicans in the State Legislature;

Now, Therefore be it Resolved by The City Council of The City of Minneapolis:

That Jackie Cherryhomes is to be commended for her effectiveness in working with the people in her ward, the mayor and other council members, and a diverse number of people across the entire metropolitan area and State of Minnesota, in leading the City of Minneapolis toward a bright future that is shared by all residents and visitors, and successfully balancing the demands of her public life while keeping her priorities as a wife and mother foremost.

Be it Further Resolved: That the residents of the City of Minneapolis, and all of her friends elsewhere wish Jackie Cherryhomes and her family happiness, peace and prosperity as she ends her exemplary

term as City Council President and Fifth Ward Council Member, and the very best in all of her future endeavors.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-577

**By Ostrow, Biernat, Johnson, Cherryhomes, Niland, Goodman,
Lilligren, Schiff, McDonald, Mead, Colvin Roy and Lane**

Recognizing Joan Campbell's contributions to the City of Minneapolis.

Whereas, Joan Campbell served the City of Minneapolis, representing the Second Ward on the City Council for three terms from 1990 until 2002; and

Whereas, Joan Campbell chaired the Public Safety and Regulatory Services and the Ways and Means/Budget Committees; and

Whereas, Joan Campbell represented Minneapolis on various outside boards & organizations including: Greater Minneapolis Convention and Visitors Association, Minneapolis Employees Retirement Fund, Association of Metropolitan Municipalities, Hiawatha Corridor LRT Management Committee, Metropolitan Radio Board 800 Mhz, Middle Mississippi River Watershed Management Organization, Central Library Implementation Committee, Aquatennial Association Board, and Central Corridor LRT Management Committee, the International Council for Local Environmental Initiatives, and Criminal Justice Coordinating Committee; and

Whereas, Joan Campbell shepherded numerous governmental redesign initiatives to enactment; and

Whereas, Joan Campbell oversaw a renaissance of activity in the Second Ward including: housing development, commercial revitalization, industrial brownfield reclamation, riverfront redevelopment, commuter bicycle trails, and light rail transit; and

Whereas, Joan Campbell sponsored ordinances establishing NRP, the police civilian review authority, and rental licensing; and

Whereas, Joan Campbell's vision led the city to participate in the 800 Mhz public safety radio initiative; and in supporting a new leading edge membrane water treatment facility; and

Whereas, following her two-day term as acting Mayor on July 14 and July 15, 1998, Joan Campbell reported the city's revenues were up, crime was down 22%, and a snow emergency was averted when temperatures rose to 90 degrees; and

Whereas, according to a staff member Joan Campbell's most abiding legacy, which she claims will be her epitaph is that, "She never said anything stupid in a public meeting";

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That we thank Joan Campbell for her leadership, humor, compassion and impressive accomplishments as a member of the Minneapolis City Council.

Be It Further Resolved that we wish Joan happiness and enjoyment in all future endeavors.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-578

**By Ostrow, Campbell, Biernat, Johnson, Cherryhomes, Goodman,
Lilligren, Schiff, McDonald, Mead, Colvin Roy and Lane**

Honoring Jim Niland for his contributions to the City of Minneapolis.

Whereas, Council Member Jim Niland was elected to represent the Sixth Ward in 1991; and

Whereas, Jim Niland was chair of the Community Development Committee of the City Council and chair the Operating Committee of Minneapolis Community Development Agency and performed his duties with distinction, for the past eight years; and

Whereas, Jim Niland was the driving force behind the Affordable Housing Resolution in 1999, which insured maximum production of low and moderate-income housing; and

Whereas, Jim Niland was absolutely the driving force and author behind the Living Wage Resolution, which requires a living wage to be paid to employees for applicable projects that receive city assistance; and

Whereas, Jim Niland was a strong supporter of alternative means of transportation, expanded transit service, Light Rail Transit and Commuter Rail service, who also set a positive example himself by frequently biking to work, even on the hottest days; and

Whereas, Jim Niland was an ardent supporter of organized labor, and fought for the rights of unions to organize in Downtown hotels, and picketed in sympathy or in person at most of the strike actions in Minneapolis; and

Whereas, Jim Niland supported other liberal causes too numerous to mention; and

Whereas Jim Niland followed his beliefs and performed his job at the city with the kind of fervor that is not often seen on the third floor of City Hall;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Jim Niland, a man of conscience, be congratulated, thanked and toasted for his commitment and good humor in service to the people of the City of Minneapolis; and

Be it further resolved that Jim Niland find success in his future endeavors, music, travel, labor union organizing and politics!

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-579

**By Ostrow, Campbell, Biernat, Johnson, Cherryhomes, Niland, Goodman,
Lilligren, Schiff, Mead, Colvin Roy and Lane**

Thanking Council Member Lisa McDonald for her service to the people of the 10th Ward and the City of Minneapolis.

Whereas, Lisa McDonald should be listed in City annals as the only Council Member to use the word "ganortner" on a daily basis; and more often during her stewardship of the revision of the City's Zoning Code, in year 1999- a herculean task last accomplished in 1963; and

Whereas, Lisa, during her earlier years on the Council, graced the 5th Street-side of City Hall with a series of vintage vehicles, beginning with a beat up, orange, retired, 1965 City of St. Paul Public Works Department truck- a vehicle that caused great confusion among Minneapolis Police Officers. After the truck finally expired to that junkyard in the sky and, during her mourning period, Lisa replaced the truck with a 1965 Ford Falcon - another pride and joy possession. During this period, she added another relic, purchased (from the Dziedzic family) and dubbed "Baby Dziedzic". Fortunately, Lisa, presently, is a conformist -as least as far as vehicles are concerned; and

Whereas, in addition to her husband George, Lisa has two other loves in her life: Lex Luthor and Lois Lane- also known as the Terrors of the Wedge. Because of these two Huskies, she championed the Dog Parks in the City initiative. Lisa now resolves to take some time to find those unmentionable personal items that have been stolen and hidden over the last 8 years by Lex and Lois; and

Whereas, it is quite possible that Lisa's office received many more visitors than most because of her choice of office décor: more than 30 motorcycles of various colors and makes were displayed and created an influx of onlookers oohing and aahing over the often-antique road hogs; and

Whereas, Lisa quickly established herself as the planning maven of the City Council, building coalitions between neighborhoods, businesses and developers to implement daring and bold projects in the 10th Ward including an award-winning Super America, a unique McDonald's, and numerous other urban-friendly buildings; and

Whereas, Lisa further demonstrated her ability to forge coalitions by leading the effort to build much-needed parking lots at Lyndale and Lake Streets, thereby enabling a renaissance of new businesses at the intersection;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Lisa McDonald, aka the Martha Stewart of City Hall, be remembered for her quick wit, attention to detail, watchdog of the taxpayers money and provider of good food, lest we forget chocolate, licorice, and more chocolate.

Be It Further Resolved that the residents of the 10th Ward have been well-served by Lisa McDonald for 8 years of dedicated service, tireless work, and attention to the important details that have made the 10th Ward and City of Minneapolis a more dynamic and attractive place to live, work and play.

Be It Further Resolved that we thank Lisa for serving the City of Minneapolis and wish her well in future endeavors.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-580

**By Ostrow, Campbell, Biernat, Johnson, Cherryhomes, Niland, Goodman,
Lilligren, Schiff, McDonald, Colvin Roy and Lane**

Honoring S. Doré Mead for her contributions to the City of Minneapolis

Whereas, S. Doré Mead was elected to the City Council to represent the Eleventh Ward in 1993 and reelected in 1997; and

Whereas, S. Doré Mead has served on the Zoning and Planning, Intergovernmental Relations, Community Development committees; and

Whereas, S. Doré Mead served with distinction as Chair of the Transportation and Public Works Committee for the past four years; and

Whereas, no constituent or neighborhood matter was too small or too large for S. Doré Mead's personal attention, making hundreds of house calls on those in need of her attention, attending hundreds of meetings, and organizing neighbors into dozens of ad hoc committees to tackle challenges facing their communities; and

Whereas, S. Doré Mead brought a sense of fun and joy to work she did, whether it was visiting National Night Out block parties on her tandem bike, arranging elaborate jokes on her colleagues, or impeccably decorating her office to make it welcoming and comfortable; and

Whereas, S. Doré Mead brought a sense of respect, fairness and professionalism to the work of the City Council, championing a sense of decorum in all proceedings, advocating for the highest ethical principles, and promoting a workplace that recognized the dignity and worth of all city workers; and

Whereas, S. Doré Mead fervidly defended the quality of life of her neighborhoods and the entire city, especially on issues of transportation, the impact of the airport, affordable housing, and solving the flooding crisis of 1997; and

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That the Mayor and the City Council express our gratitude and thanks to S. Doré Mead for her eight years of outstanding service to the citizens of the City of Minneapolis.

Be It Further Resolved that we extend S. Doré Mead and her family the City's best wishes for future endeavors.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-581

**By Ostrow, Campbell, Biernat, Johnson, Cherryhomes, Niland, Goodman,
Lilligren, Schiff, McDonald, Mead, Colvin Roy and Lane**

Acknowledging Kathy Thurber's eight years of service as the Ninth Ward City Council Member.

Whereas, Kathy Thurber began her public service in November 1989 with the Minneapolis Park and Recreation Board, was elected in November 1993 to the Minneapolis City Council, and took office in January 1994 and was re-elected in 1997, and took office in 1998; and

Whereas, Council Member Thurber served the Corcoran, Longfellow, Phillips, Powderhorn, Seward and Standish Ericcson Neighborhoods for eight years; and

Whereas, Council Member Thurber's Campaign on Lake Street led to the closing of all six saunas and promoted an environment of safety and community; and

Whereas, Council Member Thurber played an integral role in bringing the Midtown YWCA to the ninth ward, thereby establishing the first urban, Olympic approved facility in the country; and

Whereas, Council Member Thurber helped create and continued the strong tradition of the City Children's Nutcracker project; and

Whereas, Council Member Thurber's demonstrated leadership on the Criminal Justice Coordinating Committee by making CRIMNET the highest priority, and led the way to state sponsorship of an integrated information system that will give our courts the ability to deliver justice; and

Whereas, as chair of the Intergovernmental Relations Committee, Council Member Thurber built partnerships with county, state and federal offices to ensure resources to improve the city of Minneapolis; and

Whereas, Council Member Thurber has worked hard to ensure a smooth transition for Light rail Transit in the ninth ward; and

Whereas, Council Member Thurber has worked with the neighborhoods of the ninth ward to improve the status of affordable housing, the quality of business on Lake Street, and the quality and safety of the parks;

Now, Therefore, Be it Resolved by The City Council of the City of Minneapolis:

That we thank Kathy Thurber for her community service, leadership, neighborhood activism and commitment to the great city of Minneapolis.

Be It Further Resolved that we hope her new career brings much success and happiness for Kathy Thurber and her family.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-582

**By Ostrow, Campbell, Biernat, Johnson, Cherryhomes, Niland, Goodman,
Lilligren, Schiff, McDonald, Mead, Colvin Roy and Lane**

Acknowledging Colleen Moriarty's service as the Chief of Staff to the Mayor of the City of Minneapolis.

Whereas, Colleen Moriarty has served as Chief of Staff for Minneapolis Mayor Sharon Sayles Belton since March, 1998; and

Whereas, Colleen has been recognized throughout the City for her strong leadership in carrying out the Mayor's agenda; and

Whereas, Colleen led the development and implementation of the Mayor's Budget recommendations each year; and

Whereas, Colleen facilitated the Mayor's partnerships and collaborations with the independent boards, community based organizations, the private sector and citizens; and

Whereas, Colleen continued her life long commitment to champion the needs of children and families in the City of Minneapolis; and

Whereas, Colleen played a critical role in the successful passage of the Minneapolis Public Schools and Minneapolis Public Library referendums;

Now, Therefore, Be It Resolved by The City Council of the City of Minneapolis:

That we thank Colleen Moriarty for her leadership, her sense of humor, and her exemplary record of commitment to the people of the City of Minneapolis.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Jose' Cervantes presented an honorary resolution to Mayor Sharon Sayles Belton.

Council President Cherryhomes presented Colleen Moriarty, Mayor Sayles Belton's Chief of Staff with an honorary resolution.

By unanimous consent, the meeting was adjourned.

MERRY KEEFE,
City Clerk.